



INDEX TO THE MADRAS LEGISLATIVE ASSEMBLY DEBATES

SEVENTH SESSION OF THE LEGISLATIVE ASSEMBLY
UNDER THE CONSTITUTION OF INDIA.

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வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS

THE MADRAS LEGISLATIVE ASSEMBLY.

Monday, 13th December 1954.

The House met in the Assembly Chamber, Government Estate, Mount Road, at eleven of the clock, Mr. Speaker (THE HON. SRI J. SIVASHANMUGAM PILLAI) in the Chair.

I.—CONDOLENCE RESOLUTION ON THE DEATH OF SRI CHINNA KAZIAR HAJI MOULVI S. A. F. IBRAHIM SAHIB, MEMBER OF THE FORMER LEGISLATIVE ASSEMBLY.

MR. SPEAKER :—“ It is my painful duty to inform the House of the death of Sri Chinna Kaziar Haji Moulvi Ibrahim Sahib, a Member of the former Legislative Assembly of Madras. I hope the hon. Members who were in the last Assembly would remember him well because he used to make humorous speeches in the House. He was a member of the Madurai District Board and the Municipal Council. By way of expressing our sorrow and showing our respect for the departed soul, I request hon. Members to stand in their places in silence for two minutes.”

(Accordingly, the Members stood in their places in silence for two minutes.)

MR. SPEAKER :—“ The House will sit to-day till 2 p.m. because the Select Committee on the Dramatic Performances Bill will be meeting at about 3-30 p.m. So, we shall sit at a stretch till 2 p.m. We shall deal with questions and Bills till 1-30 p.m. and have the half-hour debate from 1-30 p.m.”

SRI K. VINAYAKAM :—“ May I know whether we can have the half-hour debate in the absence of the Hon. Minister in charge of the subject? ”

MR. SPEAKER :—“ The Hon. the Leader of the House will be present. Any Hon. Minister can reply to the debate.”

II.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Legal aid to Harijans at Veppalapatti, Salem district.

* 241 Q.—SRI A. RATNAM: Will the Hon. Minister for Finance be pleased to state—

(a) whether any representation was made through the Director of Harijan Welfare requesting legal aid for the Harijans of Veppalapatti village of Salem district alleging harassment of Harijans by the Caste Hindus on the 16th January 1954; and

(b) if so, the action taken thereon?

THE HON. SRI C. SUBRAMANIAM :—“ (a) & (b) The Director of Harijan Welfare brought to the notice of Government that he had received a representation from an

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hon. Member of the Legislative Assembly requesting legal aid for certain Harijans against whom the police had registered a case under sections 147 and 323, Indian Penal Code. The Government have been informed by the Collector of Salem that the case in question will not be charged. The question of granting legal aid to them does not therefore arise."

SRI A. RATNAM :—"ஸார், கனம் அமைச்சர் அவர்கள் கூறுகிறபடி அதே தினத்தில் 18 பேர்கள் மீது அரசாங்கம் கேஸ் தொடுத்திருக்கிறார்கள். அவர்களில் இரண்டு பேர்கள் ஹரிஜனங்கள். அவர்களை நசுக்குவதற்கும் அவர்களுக்கு அதிகப்படியான தொந்தரவுகள் கொடுப்பதற்கும் அவ்விதம் கேஸ் தொடுத்திருக்கிறார்கள். அவர்களுடைய வீடுகளையும் பிரித்தெரிந்திருக்கிறார்கள். இன்னும் பல தொந்தரவுகளையும் இழைத்து வருகிறார்கள். அந்த ஊரில் உள்ள சேரிகளில் புகுந்து வீடுகளைப் பிரித்தெரிந்திருப்பதற்கு தகுந்த நடவடிக்கைகள் ஜாதி ஹிந்துக்களின் பேரில் எடுக்கப்படவில்லை. அதற்கு கனம் அமைச்சர் அவர்கள் விளக்கம் கூறுவார்களா?"

THE HON. SRI C. SUBRAMANIAM :—"Harijans are not exempt from prosecution. If they commit offences, they have got to be prosecuted. But in this particular case, we are not proceeding with the charge itself. That is why there is no necessity for the grant of legal aid by the Government."

SRI S. PANCHAKSHARAM :—"Will the Hon. Minister be pleased to disclose the name of the M.L.A. who sought legal aid for these Harijans?"

THE HON. SRI C. SUBRAMANIAM :—"I do not have the name here. If the hon. Member is interested in knowing it, I shall get it and inform him."

SRI R. S. ARUMUGAM :—"எப்படிப்பட்ட கேஸ்களில் ஹரிஜனங்களுக்கு அரசாங்கம் லீக்ஸ் எய்ட் கொடுத்து வருகிறது? பல இடங்களில் இப்பொழுது ஹரிஜனங்களுக்கு இவ்விதமான தேர்ந்தரவு அதிகமாக நடந்து வருவதனால் அவர்களுக்கு லீக்ஸ் எய்ட் கொடுப்பதில் தாராளமாக சர்க்கார் நடந்துகொள்ளுமா என்பதை நான் தெரிந்துக்கொள்ள விரும்புகிறேன்."

THE HON. SRI C. SUBRAMANIAM :—"We have to decide on the merits of each case."

SRI S. RAMALINGAM :—"அவர்கள் என்ன குற்றங்கள் செய்தார்கள்? அவர்கள் மீது என்ன நடவடிக்கைகள் எடுக்கப்பட்டன? இப்பொழுது எதற்காக நடவடிக்கைகளை வாபஸ் வாங்கி இருக்கிறார்கள். அதைப்பற்றி கனம் மந்திரி அவர்கள் விளக்கம் சொல்லுவார்களா?"

THE HON. SRI C. SUBRAMANIAM :—"Under sections 147 and 323 of the Indian Penal Code."

SRI V. GOPALA GOUNDER :—"I presume that the Harijans are accused of some offences under sections 147 and 323 of the Indian Penal Code. If the State is the prosecutor, how can they expect any legal aid from the Government?"

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THE HON. SRI C. SUBRAMANIAM :—“ That question does not arise here because they were not charged with any offence.”

SRI O. KORAN :—“ May I know how many applications for legal aid were received from Harijans in the year 1954 and in how many cases was legal aid granted? ”

MR. SPEAKER :—“ The main question is about a particular case. The hon. Member is putting a general question. Let him give notice of a separate question.”

SRI M. KALYANASUNDRAM :—“ கனம் சபாநாயகர் அவர்களே, 11-10 இந்தப் பிரச்சனையைப்பற்றி எனக்கு நேரில் அந்த ஹரிஜனங்கள் வந்து தெரிவித்திருக்கிறார்கள். அவர்கள் மீது எடுக்கப்பட்டிருக்கும் வழக்குகளை வாபஸ் வாங்க வேண்டுமென்பது பற்றியும் அக்கலவரத்தால் மிக நஷ்டத்திற்குள்ளானவர்களுக்கு நஷ்ட ஈடு கொடுக்க வேண்டுமென்பது பற்றியும் நான் கனம் முதல் மந்திரி அவர்களுக்குக் கடிதம் எழுதியிருக்கிறேன். வழக்கு வாபஸ் வாங்கப்பட்டது பற்றி சந்தோஷப்பட்டாலும்கூட ஹரிஜனங்கள் ஜாதிவிரிந்துக்களால் தாக்கப்பட்டிருப்பதால் ஹரிஜனங்கள் பெருத்த நஷ்டத்திற்கு உள்ளாகியிருக்கிறார்கள். ஆகவே சர்க்கார் அவர்களுக்கெல்லாம் நஷ்ட ஈடு கொடுக்குமா என்று கேட்க விரும்புகிறேன்? ”

THE HON. SRI C. SUBRAMANIAM :—“ In this particular case, the Government examined the question of granting compensation, I mean *ex gratia* compensation. As it was found that only one Harijan named Taligan had incurred substantial loss, a sum of Rs. 250 has been paid to him.”

SRI V. BALAKRISHNAN :—“ Before rushing to provide legal aid to Harijans in such disputes, will the Government please first attempt conciliation between the two parties instead of widening the breach and increasing hostilities? ”

THE HON. SRI C. SUBRAMANIAM :—“ It will always be attempted. But still, if persons commit offences they will have to be prosecuted.”

SRI K. VINAYAKAM :—“ May I know under what circumstances the Government provide legal aid to Harijans? Do they give aid when the State itself is the prosecutor or give aid only when private individuals are the prosecutors in the cases filed against the Harijans? How many huts have been destroyed in this particular case and what was the compensation paid to the hut-dwellers? ”

MR. SPEAKER :—“ As regards compensation, the Hon. Minister has already answered.”

THE HON. SRI C. SUBRAMANIAM :—“ One hut was destroyed and a sum of Rs. 250 has been paid to the hut-dweller.”

MR. SPEAKER :—“ What about the first part of the question? ”

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THE HON. SRI C. SUBRAMANIAM :—“ It is not the first part of the question, but is the first question, Sir. (Laughter.) As for his first question, I may state that generally when prosecutions are launched by private parties, the Government consider the question of providing legal assistance. When it is the question of the State filing a case, the Government consider this question as a matter of policy as to whether they are to be prosecuted or not.”

SRI. A. RATNAM :—“ கனம் சபாநாயகர் அவர்களே, சேலம் ஜில்லாவிலுள்ள வேப்பலப்பட்டி என்ற குறிப்பிட்ட கிராமத்திற்கு நான் நேரில் சென்று பார்த்திருக்கிறேன். இருபத்தைந்து வீடுகளுக்கு மேல் கூரைகள் பிரிக்கப்பட்டு எரிக்கப்பட்டிருக்கின்றன. பல வீடுகள் ஓடுகளையிலாமல் மொட்டையாக்கப்பட்டிருக்கின்றன. இதனால் அங்குள்ள ஹரிஜனங்கள் ஆயிரக்கணக்கில் நஷ்டத்திற்கு உள்ளாகியிருக்கிறார்கள். இது சம்பந்தமாக அரசாங்கம் பதினெட்டு நபர்கள் மீது கேஸ் போட்டது. அவைகளும் வாபஸ் பெறப்பட்டிருக்கிறது. அதே நபர்கள் இப்பொழுது ஹரிஜனங்களின் மீது பல அக்கிரமமான கேஸ்கள் போட்டிருக்கிறார்கள். இதைப்பற்றி எல்லாம் விவாதிக்க அவகாசம் வேண்டும். ஆகவே இந்தப் பிரச்சினையைப் பற்றி விவாதிக்க ஒரு அரை மணி நேரம் கொடுக்கவேண்டுமென்று நான் தங்களைக் கேட்டுக்கொள்ளுகிறேன். இரண்டு மூன்று நாளைக்குப் பிறகு விவாதிக்க நேரம் கொடுத்தாலும் போதும். ஆகவே தயவு செய்து தாங்கள் இதைப்பற்றி விவாதிக்க ஒரு அரை மணி நேரம் கொடுக்கும்படி கேட்டுக் கொள்ளுகிறேன்.”

MR. SPEAKER :—“ அரை மணி நேரம் விவாதம் கொடுக்கிறேன். ஆனால் நேரம் குறிப்பிட முடியாது. என்னைக்கு விவாதத்திற்கு எடுத்துக் கொள்ளப்படும் என்றும் இப்போது சொல்ல முடியாது.”

Payment of sales tax in advance by the Producers'-cum-Consumers' Co-operative Societies, Malabar.

* 242 Q.—DR. K. B. MENON : Will the Hon. the Minister for Revenue be pleased to state whether the Government have received any representation from the Producers'-cum-Consumers' Co-operative Societies in Malabar about the hardships they are facing on account of demands from Commercial Tax Officers for payment of sales tax in advance, according to assessment on the rate of sales prior to fall in price of paddy; and if so, the action taken thereon?

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Yes. The matter is under the consideration of the Government.”

DR. K. B. MENON :—“ Are the Government aware that as a result of the closing of ration shops, the societies are doing very little business and many of them have no reserve fund to pay the advance? Especially when the Government do not return the advance regularly in many cases, is it fair on the part of the Government to have the cake and eat it too? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Sir, we hope to alleviate their hardship by passing suitable orders soon.”

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SRI C. H. KANARAN :—“ May I know why this discrimination is made against the producers'-cum-consumers' societies of Malabar? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ I do not understand how it is a question of discrimination.”

SRI V. BALAKRISHNAN :—“ Is not the rule of advance collection universally applied to all co-operative societies and traders and if so, why should there be this special grievance of the Malabar producers'-cum-consumers' societies alone? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—
“ Certain concessions are usually given to co-operative societies. Still more concessions are given to these Producers' Cum-Consumers' Co-operative Societies. I think that this class of societies is larger in number in that part of the State than in other parts.”

Sea erosion at Beypore, South Malabar.

* 243 Q.—SRI K. P. GOPALAN : Will the Hon. the Minister for Public Works be pleased to state—

(a) whether there was any sea erosion at Beypore in South Malabar in June 1954;

(b) if so, how many houses and how many acres of land were destroyed thereby; and

(c) what relief the Government have given to the victims?

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ (a) Yes.

“ (b) Six houses and a stretch of land about one mile long and 12 feet wide or roughly 1.46 acres were affected.

“ (c) A sum of Rs. 90 was granted to the affected persons out of State Funds for the reconstruction of their houses.”

SRI K. P. GOPALAN :—“ May I know whether the Government have taken any permanent steps to prevent such erosion at Beypore in future? ”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ No, Sir. We have been advised against taking any permanent steps as it would be very costly. It costs about Rs. 60 per foot and it is about 3,000 feet. It is felt that it has not affected the port. Annually, the Government are granting some money as compensation to those whose huts or houses are destroyed.”

SRI V. R. NAGARAJAN :—“ Apart from preventing erosion in Malabar, is there any proposal before the Government to prevent sea erosion in Madras, especially in Rayapuram? ”

MR. SPEAKER :—“ The question is about South Malabar and not Madras. If the hon. Member wants, he can give notice of a fresh question.”

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SRI S. RAMALINGAM :—“ வீடு இழந்தவர்கள் மறுபடியும் வீடு கட்டிக்கொள்ள சமுத்திரத்திற்கு கொஞ்சம் அப்பால் தள்ளி அவர்களுக்கு குடியிருப்பு மனைக்கட்டுகள் வழங்க சர்க்கார் ஏற்பாடு செய்வார்களா ? ”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ They have not made any representation to that effect. If they make any such representation, it will be considered, Sir.”

SRI P. K. GOPALAKRISHNAN :—“ May I know whether the grant of Rs. 90 is in respect of each house destroyed or in respect of all the houses or huts that were destroyed? ”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ The total amount disbursed was Rs. 90.”

DR. K. B. MENON :—“ May I know whether the erosion is annual? ”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ Yes, it is almost annual. Mostly fishermen are affected by this erosion. Last year we disbursed a sum of Rs. 135 and in the previous year a sum of Rs. 100.”

SRI T. C. NARAYANAN NAMBIAR :—“ From the answer given by the Hon. Minister, it is clear that annually this erosion is taking place and the Government are giving some relief to those who are affected. In view of the huge amount that the Government have to pay in this way, will it not be better for the Government to take some suitable permanent measure to prevent this erosion, especially as it will be profitable for them to do so? ”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ I already said that if we were to take permanent steps, we would have to spend something like Rs. 1,80,000. As against this amount, we are at the present time spending only about Rs. 100 every year, and I am really unable to understand how the hon. Gentleman characterises this amount as a ‘ huge ’ amount.”

SRI T. C. NARAYANAN NAMBIAR :—“ By way of personal explanation, I wish to make a few observations, Sir. The Hon. Minister himself said that this erosion takes place annually and the Government are spending a certain amount in affording relief to those who are affected. If we calculate all these amounts together, then it will be seen that finally it is a loss to the Government. That is why I said that it would be advantageous for the Government if they took permanent measures to prevent this erosion.”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ The hon. Member must remember that the interest on Rs. 1,80,000 is much more than Rs. 100.”

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B.C.G. Vaccination.

* 244 Q.—SRI K. KUNHI MOHAMED SHAFEE : Will the Hon. the Minister for Health be pleased to state—

(a) whether the Government have decided to introduce the B.C.G. Vaccination on a mass scale in the districts of the State; and

(b) if so, the centres selected for the same in the district of Malabar?

THE HON. SRI A. B. SHETTY :—“(a) Yes, Sir.

“(b) The whole of Malabar district will be taken up for B.C.G. Vaccination beginning with urban areas first.”

SRI K. KUNHI MOHAMED SHAFEE :—“Will the Government consider the desirability of introducing B.C.G. Vaccination campaign in all the taluk headquarters hospitals, particularly in Malabar?”

THE HON. SRI A. B. SHETTY :—“B.C.G. Vaccination will be done first in the district headquarters station. In the second round, smaller towns and municipalities will be taken up and ultimately it will be introduced in villages, Sir.”

SRI S. RAMALINGAM :—“May I know why the Government make a discrimination in this matter by starting this campaign only in Malabar and not in other parts of the State? When do they propose to extend the scheme to the other parts?”

THE HON. SRI A. B. SHETTY :—“No discrimination is made in favour of Malabar. This B.C.G. campaign began in Coimbatore city on the 14th of last month and from there it will be extended to other places.”

SRI S. PANCHAKSHARAM :—“Is there any truth in the statement that the B.C.G. Vaccination does not produce the desired effect but on the other hand is producing a reaction? Under these circumstances, will the Government take steps to propagate the utility of this vaccination?”

THE HON. SRI A. B. SHETTY :—“Propaganda work is also done in connexion with this campaign. I do not know under what authority the hon. Member is saying that this vaccination is harmful. The almost unanimous opinion of tuberculosis experts of not only this country but also the whole World is that B.C.G. Vaccination is quite useful and it gives increased resistance.”

Rowdy sheets in the Mankara Police Station, South Malabar.

* 245 Q.—SRI M. NARAYANA KURUP : Will the Hon. the Minister for Finance be pleased to state the number of persons for whom rowdy sheets were maintained in the Mankara Police Station, Palghat taluk, South Malabar, in the last two years?

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THE HON. SRI C. SUBRAMANIAM :—“ In the last two years rowdy sheets were maintained for six persons.”

SRI M. NARAYANA KURUP :—“ Sir, are the Government aware that sometimes the opening of rowdy sheets is done from personal motives and sometimes on political motives? ”

THE HON. SRI C. SUBRAMANIAM :—“ Sir, I do not concede that point, Sir. After all in this particular area it is only the old cases which are being continued except for a new case which was opened in the year 1953.”

DR. K. B. MENON :—“ Sir, since secrecy is maintained with regard to these rowdy sheets, will the Hon. Minister please instruct the Police Department that in cases where political workers are involved, the Hon. Minister concerned should be informed of that? ”

THE HON. SRI C. SUBRAMANIAM :—“ But here, Sir, there has absolutely been no political case at all. I have gone through the whole list. I shall anyhow consider the suggestion made by the hon. Member. But I can assure the hon. Member that purely on political grounds no rowdy sheets are opened now-a-days.”

Construction of a dam across Varahanathi.

* 246 Q.—SRI B. R. M. MUTHU THEVAR (on behalf of Sri K. Mookkiah Thevar) : Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the Government have received any representation from the landowners and cultivating classes of Periyakulam, Madurai district, with regard to the construction of an irrigation dam at Southuparai or Sastha Koil across the river Varahanathi; and

(b) if so, the action taken thereon?

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ (a) Yes.

“ (b) The particular representation referred to by the hon. Member was received in 1952 and recorded after examination, the proposal having been found to be not feasible from the point of view of availability of supplies and suitability of site.”

Grant of leave to nurses in the Government General Hospital, Madras.

* 247 Q.—SRI K. P. GOPALAN : Will the Hon. the Minister for Health be pleased to state—

(a) whether the nurses working in the Government General Hospital, Madras, get any casual leave and privilege leave annually; and

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(b) if so, how many nurses were given casual leave and privilege leave in 1952-53?

THE HON. SRI A. B. SHETTY :—“(a) Yes, Sir.

“(b) Casual leave was granted to 105 nurses and privilege leave was granted to 50 nurses.”

SRI K. P. GOPALAN :—“Sir, in the General Hospital at Madras there are about 500 nurses. From the answer of the Hon. Minister it is clear that so many of the nurses have not been given either privilege leave or casual leave to which they are entitled. May I know from the Hon. Minister whether it is a fact that several applications from these nurses for casual and privilege leave, to which they are entitled, were refused by the Matron and the Hospital authorities?”

THE HON. SRI A. B. SHETTY :—“Sir, I do not know from where the hon. Member got his figures that there are 500 nurses in the General Hospital. It is not more correct than the figure quoted by another hon. Member the other day about the birth-rate in Malabar. These are quite unauthorized statements. Not only privilege leave, but casual leave, and maternity leave was granted to nurses.”

Polling arrangements during the Malabar District Board elections.

* 248 Q.—SRI M. NARAYANA KURUP : Will the Hon. the Minister for Local Administration be pleased to state—

(a) how many polling stations were arranged in Malabar during the recent district board elections and how do they compare with those for the last general elections;

(b) whether there were separate booths for men and women; and

(c) if so, how many were provided for women in the Malabar District Board elections?

THE HON. SRI S. S. RAMASAMY PADAYACHI :—“(a) The number of polling stations opened in the Malabar district for the last district board elections was 829, compared with 1,022 polling stations opened during the last general elections to the State Legislative Assembly and the Lok Sabha.

“(b) & (c) No separate booths were provided for women, but separate voting compartments were opened for them in booths, wherever necessary.”

SRI M. NARAYANA KURUP :—“Sir, in one firka for about 22 villages with 64,000 voters there were only seven polling stations and each station which was accommodated in an elementary school had about 8 to 11 booths with all the overcrowding and confusion. Will the Government see to it that in villages having at least a thousand voters a polling station is established and that no polling station generally has more than two booths?”

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THE HON. SRI S. S. RAMASAMY PADAYACHI :—“ Yes, Sir, Government will consider the suggestion of the hon. Member for future elections.”

SRI K. MADHAVAN NAMBIAR :—“ Are the Government aware of the fact that polling stations were not arranged in all the villages in Malabar as was done during the general elections.”

MR. SPEAKER :—“ The Hon. Minister has already answered the question.”

SRI P. K. GOPALAKRISHNAN :—“ Sir, Fort Cochin which had nine polling stations last time had only one this time and Fort Cochin is scattered over an area of about 40 square miles. Will the Government be pleased to see that at least for every two miles distance, a polling station is established hereafter? ”

THE HON. SRI S. S. RAMASAMY PADAYACHI :—“ Yes, Sir, for the next elections, the suggestion of the hon. Member will be considered.”

SRI C. H. KANARAN :—“ Sir, the reduction in the number of polling stations resulted in thousands of voters not being able to go to the polling stations and exercise their franchise. Is there any special reason why the Government reduced the number of polling stations? ”

THE HON. SRI S. S. RAMASAMY PADAYACHI :—“ There were no special reasons to reduce the polling stations. Polling stations were opened according to the instructions of the Election Officer. The suggestion of the hon. Member will be considered when conducting the elections in future and polling stations opened to suit the conveniences of voters.”

SRI K. VINAYAKAM :—“ Sir, what were the reasons that weighed with the Government and compelled them to reduce the number of polling stations opened during the general elections in Malabar alone while the same number of polling stations as were opened during the general elections were opened in the other districts? Only in Malabar the number was reduced. What was the reason that compelled them to do this? Did they apprehend that the Communists will come at the head of the District Board? ”

THE HON. SRI S. S. RAMASAMY PADAYACHI :—“ There was no such motive behind the mind of the Government, Sir.”

Payment of increments, allowed to elementary school teachers, to Pre-Vocational Instructors.

* 249 Q.—DR. K. B. MENON : Will the Hon. the Minister for Finance be pleased to state—

(a) whether the Government have recently received any representation from the Pre-Vocational Instructors' Association

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about the exclusion of Pre-Vocational Instructors from the former increment of Rs. 2 and the present increment of Rs. 3 given to elementary school teachers; and

(b) if so, what action the Government propose to take in the matter?

THE HON. SRI C. SUBRAMANIAM :—“(a) Yes, Sir.

“(b) Government are examining the matter.”

Import of transformers.

* 250 Q.—SRI N. K. PALANISAMY: Will the Hon. the Minister for Public Works be pleased to state—

(a) the number of transformers purchased by Government from outside the country for use in this State; and

(b) the amount spent for the same?

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“(a) 807 transformers during the period from 1947 to 1954.

“(b) Rs. 1.56 crores.”

SRI N. K. PALANISAMY :—“ஸார், பங்களூரிலேயே குறைவான விலையில் நல்ல ட்ரான்ஸ்பார்மர்களைத் தயாரிக்க வாய்ப்பு இருக்கும்போது வெளிநாடுகளிலிருந்து இன்னும் ஏன் அவைகள் இறக்குமதி செய்யப்பட வேண்டும்? நாட்டின் தேவைக்கேற்ப ட்ரான்ஸ்பார்மர்களை இந்த நாட்டிலேயே உற்பத்தி செய்வதற்கு சர்க்காரிடம் திட்டம் இருக்கிறதா?”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“Sir, we have to import transformers from abroad because in India they do not manufacture transformers above the capacity of 300 K.W.A. About transformers with a lesser capacity than this that are manufactured in India, there is complaint from the Department. We have made representations to the Government of India that they are not very reliable. That is the reason, Sir. As for producing them here itself more efficiently, we are not the authority concerned with that, Sir.”

SRI S. RAMALINGAM :—“ஸார், மேட்டூர் இண்டஸ்ட்ரீசிலேயே இப்படிப்பட்ட ட்ரான்ஸ்பார்மர்களை உற்பத்தி செய்வதற்கு சர்க்கார் ஆலோசிப்பார்களா? இது விஷயமாக மத்திய சர்க்காருடன் சென்னை சர்க்கார் கலந்தாலோசிப்பார்களா?”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“A separate question may be put, Sir.”

Irregularities in the Madurai Mills Co-operative Stores.

* 251 Q.—SRI P. RANGASWAMI REDDIAR: Will the Hon. the Minister for Health be pleased to state—

(a) whether the Deputy Registrar of Co-operative Societies, Mr. Thirugnanasambandam of Madurai, sought permission of the

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Registrar to take action against one Mr. T. S. Susainathan, Secretary of the Madurai Mills Co-operative Stores, for misappropriation of Rs. 30,000 from the funds of the said Stores;

(b) whether the Registrar refused permission and transferred the Deputy Registrar from Madurai;

(c) whether important documents throwing light upon the misappropriation were caused to be destroyed;

(d) whether any action was taken against those who destroyed the documents;

(e) whether any action was taken against Mr. Susainathan and if not, why; and

(f) whether Susainathan was subsequently promoted as Deputy Registrar?

THE HON. SRI A. B. SHETTY :—“(a) & (b) No, Sir.

“(c) & (d) No information, Sir.

“(e) Yes; action was taken against the Officer in 1945 for certain irregularities but there was no charge of misappropriation.

“(f) The Officer was promoted as Deputy Registrar considering his previous and subsequent good work.”

SRI P. RANGASWAMI REDDIAR :—“Sir, in view of the negative answer given by the Hon. Minister for parts (a) and (b) of the question, may I know what exactly is the nature of the misconduct on the part of the officer for taking action against him?”

THE HON. SRI A. B. SHETTY :—“Sir, the charges related to certain defects in administration such as failure to take President's orders for Deepavali purchases, failure to give gate passes, etc. There was no charge of misappropriation, Sir.”

Revival of Taluk Boards.

* 252 Q.—SRI V. BALAKRISHNAN : Will the Hon. the Minister for Local Administration be pleased to state the stage at which the proposal of the Government to revive Taluk Boards stands now?

THE HON. SRI S. S. RAMASAMY PADAYACHI :—“The matter is still under consideration.”

SRI V. BALAKRISHNAN :—“ஐயா, தாலுகா போர்டுகளைப் புதுப்பிப்பதன் மூலம் மக்களின் நீண்டகால ஆசையைப் பூர்த்தி செய்யவும், தாலுகா போர்டுகள் இல்லை என்ற மக்களின் நீண்டகாலக் குறையைச் சரிப்படுத்தவும் கனம் மந்திரி அவர்கள் எப்பொழுது முன்வரப் போகிறார்கள்?”

THE HON. SRI S. S. RAMASAMY PADAYACHI :—“As early as possible, Sir.”

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SRI M. NARAYANA KURUP :—“ Sir, it was more than once stated on the floor of this House that the matter was under the consideration, under the very active consideration of the Government. Now the Hon. Minister says that it is under consideration. May I know what happened to change the attitude of this Government? ”

THE HON. SRI S. S. RAMASAMY PADAYACHI :—“ There is no change in the attitude of the Government. It is still under the consideration of the Government.”

SRI K. V. RAMASWAMI :—“ ஸார், ‘தாலுகா போர்டுகளைப் புதுப்பிக்கப்போகிறோம்’ என்று சர்க்கார் ஜில்லா போர்டு தேர்தலுக்கு முன்னதாக சொல்லிக்கொண்டிருந்தார்கள். ஆனால், இப்பொழுது அப்படிச் சொல்வது இல்லை. அதற்குக் காரணம் என்ன? ஜில்லா போர்டு தேர்தலில் மேஜாரிடி கிடைத்துவிட்டதால் சர்க்கார் இப்பொழுது அப்படிச் சொல்வதில்லையா? ”

THE HON. SRI S. S. RAMASAMY PADAYACHI :—“ ஸார். மலபார் ஜில்லா போர்டைப் பாதிக்கும் என்பதற்காக ஒத்திவைக்கப் பட்டிருக்கிறது.”

SRI T. C. NARAYANAN NAMBIAR :—“ Is the suggestion to constitute Taluk Boards an alternative to the present District Boards or are they in addition to the present District Boards for more democratic administration of local affairs? ”

MR. SPEAKER :—“ The matter is under consideration. The hon. Member is going into details. If the Hon. Minister is prepared to answer the question I have no objection.”

Reinstatement of persons dismissed from service in Pudukkottai.

* 253 Q.—SRI V. BALAKRISHNAN: Will the Hon. the Minister for Finance be pleased to state—

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(a) whether any persons dismissed or removed from service by the former Pudukkottai State several years antecedent to the merger have been reinstated or such orders revoked by the Madras Government after the merger; and

(b) if so, the reasons therefor?

THE HON. SRI C. SUBRAMANIAM :—“ (a) & (b) The attention of the hon. Member is invited to the answer given to the Legislative Assembly starred question No. 1047 printed on pages 1346-47 of the Proceedings of the Assembly, Volume IX, No. 11, dated 25th July 1953. (Laughter.) That question was put by the very same hon. Member. There are no other cases.”

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Repairs to south pier in Kozhikode Port.

* 254 Q.—SRI K. P. GOPALAN : Will the Hon. the Minister for Public Works be pleased to state the amount sanctioned by the Government to repair the north and south piers in Kozhikode Port limits, recently damaged by heavy rains?

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ A sum of Rs. 500 has been sanctioned for carrying out repairs of some minor damage caused to the south pier rubbing blocks.”

SRI K. P. GOPALAN :—“ May I know whether the Government have received any complaint that these repairs were not executed according to the estimate prepared and whether any measures were taken to check them? ”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ The Government have not received any complaint from anybody.”

Karimba Producers'-cum-Consumers' Co-operative Society, South Malabar.

* 255 Q.—SRI K. KUNHI MOHAMED SHAFEE : Will the Hon. the Minister for Health be pleased to state—

(a) whether the administrative control of the Karimba Producers'-cum-Consumers' Co-operative Society in South Malabar was transferred to the Co-operative Department and the society was newly registered; and

(b) if so, the date on which the transfer took place and the date on which the society was newly registered?

THE HON. SRI A. B. SHETTY :—“ (a) & (b) The Administrative control of the Karimba Producers'-cum-Consumers' Co-operative Society, South Malabar, was transferred to the Co-operative Department on the 21st September 1953. The society could not be re-registered as its members decided at a general body meeting to liquidate the society. The registration of the society has accordingly been cancelled on the 3rd September 1954.”

SRI M. NARAYANA KURUP :—“ There were serious complaints about the management of this society when it was under the executive officer, one of the charges being that the executive officer paid out of the funds of the society Rs. 500 as donation when there was nothing in the common good fund. May I know whether the Government have enquired into the charges against the officer concerned? ”

THE HON. SRI A. B. SHETTY :—“ The Registrar of Co-operative Societies has made an enquiry under section 38 of the Act and he has cancelled the registration of the society on the 3rd September 1954. The order of cancellation took effect from the 3rd November 1954.”

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SRI M. NARAYANA KURUP :—“ Under the enquiry made under section 38, has the Registrar anything to say about the conduct of the Executive Officer who was referred to by me? ”

THE HON. SRI A. B. SHETTY :—“ Notice, Sir.”

Construction of Chettuvai Bridge in Ponnani taluk.

* 256 Q.—SRI P. K. GOPALAKRISHNAN : Will the Hon. the Minister for Local Administration be pleased to state at what stage the construction of Chettuvai Bridge in Ponnani taluk, stands at present?

THE HON. SRI S. S. RAMASAMY PADAYACHI :—“ The proposal to construct the Chettuvai Bridge in Ponnani taluk is being treated as a Part II Scheme for the State Budget for 1955-56.”

SRI P. K. GOPALAKRISHNAN :—“ Previously when the question was put, the Government replied that estimates for the scheme were being worked out. May I know whether the estimates are ready and whether the Government are seriously thinking of including it in the schemes for 1955-56.”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ Yes, Sir. The estimated cost of the scheme comes to about Rs. 10 lakhs and the Government have sanctioned it for inclusion in 1955-56.”

SRI K. KUNHI MOHAMED SHAFEE :—“ May I know whether the Government have taken any final decision about the site of the Bridge? ”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ Even the Chief Engineer has approved the site.”

Murder and suicide cases registered in the Police stations in Wynaad taluk, Malabar.

* 257 Q.—SRI K. P. GOPALAN : Will the Hon. the Minister for Finance be pleased to state the number of cases of murder and suicide recorded in all Police stations in Wynaad taluk in Malabar district during the years 1952-53 and 1953-54?

THE HON. SRI C. SUBRAMANIAM :—“ A statement^a giving the particulars asked for is placed on the table of the House.”

SRI K. P. GOPALAN :—“ May I know whether the offences were committed in the whole taluk of Wynaad and whether the police are very indifferent towards the detection of crimes in that particular area? ”

THE HON. SRI C. SUBRAMANIAM :—“ I am afraid the hon. Member is not quite correct.”

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DR. K. B. MENON :—“ Looking at the figures placed on the table of the House, there is more than 300 per cent increase in the number of suicide cases during 1953-54. Is there any particular reason for it? ”

THE HON. SRI C. SUBRAMANIAM :—“ I do not find a 300 per cent increase in the number of suicide cases. In 1952-53 it was 12 and in 1953-54 it was 20. Is it a 300 per cent increase? ”

SRI P. RANGASWAMI REDDIAR :—“ May I know whether these figures include any suicide committed within the police station? ”

THE HON. SRI C. SUBRAMANIAM :—“ No, Sir, as far as I could see.”

* Question Nos. 258 and 259—

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ I request that question Nos. 258 and 259 may be taken up together.”

MR. SPEAKER :—“ Yes, they may be taken up together.”

Levy of sales tax at a single point.

* 258 Q.—SRI M. KALYANASUNDRAM: Will the Hon. the Minister for Revenue be pleased to state—

(a) whether the Government have completed consideration of the proposal to amend the General Sales Tax Act, 1939, so as to levy tax at single point; and

(b) if so, the final decision of the Government in the matter?

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ (a) No.

“ (b) No definite scheme has yet been formulated.”

* 259 Q.—SRI C. KANDASAMY: Will the Hon. the Minister for Revenue be pleased to state—

(a) whether it is a fact that the Hon. the Chief Minister stated at a public meeting at Madurai on 29th August 1954 that the Government are considering the feasibility of replacing the multi-point sales tax on commodities by a single-point one; and

(b) if so, whether the Government will be pleased to lay a copy of the scheme on the table of the House and when it will be brought into effect?

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ (a) Yes.

“ (b) No definite scheme has yet been formulated.”

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SRI M. KALYANASUNDRAM :—“ ஒரு முனை விற்பனை வரி வசூலிக்கவேண்டுமென்று இரண்டு வருஷ காலமாக கொல்லிக்கொண்டு வந்திருக்கிறோம். கனம் மந்திரி அவர்களும் சீக்கிரம் கொண்டுவருவதாக வாக்குறுதி அளித்துள்ளார். எப்பொழுது ஒரு முனை வரிபற்றி முடிவு எடுக்கப்படும்? உணவுப் பொருள்கள் மீது இருக்கும் விற்பனை வரியை ரத்து செய்ய சர்க்கார் உத்தரவிடுமா என்று அறிய விரும்புகிறேன்? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ The Government are awaiting the report of the Taxation Enquiry Commission which will clarify many aspects of the question.”

SRI K. T. RAJU :—“ கனம் சபாநாயகர் அவர்களே, சென்ற பட்ஜட் கூட்டத்தில் இந்த பல முனை வரிகளினால் வியாபாரிகளும், பொதுமக்களும் மிகவும் பாதிக்கப்படுகிறார்கள் என்று பேசினோம். அதனால் இந்த ஒரு முனை வரியைப்பற்றி வருகிற பட்ஜட் கூட்டத்திலேயாவது ஒரு முடிவுக்கு வருவாரா என்று சர்க்கார் அறிவிப்பார்களா? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ As I said, it all depends on the report of that Commission. Having waited so long, if we wait a little more, we can bring forward a satisfactory piece of legislation.”

SRI V. R. NAGARAJAN :—“ Pending the release of the report by the Taxation Enquiry Commission, have the Government examined the various aspects of the matter like the inter-State trade and how far the revenues of the State will be affected by levying sales tax at a single point? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Yes, Sir, that question also will be gone into.”

SRI N. K. PALANISAMY :—“ ராஜஸ்தானிலும் ஒரு முனை வரி போட்டிருக்கிறார்கள். பம்பாய் ராஜ்யத்திலும் 19-வது ஆர்டிகல் பிரகாரம் ஒரு முனை வரி போட்டிருப்பதாகச் சொல்லுகிறார்கள். அப்படியிருக்கும்போது இந்த ராஜ்யத்திலும் சர்க்கார் எப்போது ஒரு முனை வரியைப் போடுவார்கள் என்று உறுதியாகச் சொல்லமுடியுமா? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ There are more States which are levying multi-point sales tax.”

SRI S. PANCHAKSHARAM :—“ Has any merchant association submitted any scheme for levying sales tax at one point? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ I am not in a position to say whether any merchant association has sent any scheme. But I have been receiving letters, memoranda and other kinds of representations to the effect that a single-point sales tax will be better than the multi-point sales tax.”

SRI G. GOVINDAN :—“ கனம் சபாநாயகர் அவர்களே, இந்த பல முனை விற்பனை வரியினால் வியாபாரிகளும், பொதுமக்களும் மிகவும் பாதிக்கப்படுகிறார்கள். ஆகையால் இதைப்பற்றி ஆலோசனை செய்வதற்கும் பரிசீலனை செய்வதற்கும் ஒரு கமிட்டியை ஏற்படுத்த சர்க்கார் இறங்குவார்களா? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ அதில் தான் இப்பொழுது இறங்கியிருக்கிறார்கள். இன்னும் முடிவுக்கு வர கொஞ்சம் நாட்களாகும்.”

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Kanjirapuzha Irrigation Project, Malabar.

* 260 Q.—SRI K. C. GOPALAN UNNI: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether any work has begun in connexion with the Kanjirapuzha Irrigation Project in Malabar; and

(b) if so, the nature of the work now going on and how many are working there?

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI:—“(a) The answer is in the negative.

“(b) No work is going on now.”

SRI K. C. GOPALAN UNNI:—“Have the Government recommended the scheme for inclusion in the Second Five-Year Plan?”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI:—“Yes, Sir. This has been recommended along with seven other schemes. This is third in priority and we are expecting sanction from the Planning Commission.”

Misappropriation of funds in the Karaikudi Co-operative Stores.

11-40 a.m. * 261 Q.—SRI P. RANGASWAMI REDDIAR: Will the Hon. the Minister for Health be pleased to state—

(a) whether any complaints were made to the Registrar of Co-operative Societies against one Mr. Swamikannu Pillai, Secretary, Karaikudi Co-operative Stores, about the misappropriation of Rs. 10,000 by the said Secretary;

(b) whether, on the receipt of the complaint, the Registrar instead of taking action against Mr. Swamikannu Pillai, transferred the Deputy Registrar of Ramanathapuram and posted one Mr. Singararaju Pillai (Christian) in his place;

(c) whether the Deputy Registrar subsequently dropped proceedings against Mr. Swamikannu Pillai, and if so, why;

(d) whether the amount said to have been misappropriated was recovered; and

(e) if so, from whom?

THE HON. SRI A. B. SHETTY:—“(a) No, Sir.

“(b) Sri A. Singararaju Pillai was posted as Deputy Registrar, Ramanathapuram, when Sri M. Kalyanam Iyer, the then Deputy Registrar, retired from service.

“(c) No, Sir.

“(d) & (e) To recover the amounts from the persons who have misappropriated them, the Stores has filed arbitration references before the Deputy Registrar. They are pending disposal.”

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SRI P. RANGASWAMI REDDIAR :—“ May I know from the Hon. Minister the name of the Deputy Registrar of Co-operative Societies before whom these arbitration proceedings are pending, what is the amount misappropriated and by whom and when the act of misappropriation was discovered . . . ”

MR. SPEAKER :—“ The hon. Member must put questions one by one.”

SRI P. RANGASWAMI REDDIAR :—“ May I know from the Hon. Minister the name of the Deputy Registrar before whom these arbitration proceedings are pending? ”

THE HON. SRI A. B. SHETTY :—“ The present Deputy Registrar of Co-operative Societies.”

SRI P. RANGASWAMI REDDIAR :—“ I am extremely sorry, Sir, for the reply of the Hon. Minister. The Hon. Minister can disclose the name of the Deputy Registrar to whom the arbitration proceedings had been referred from the information available with him. I also want to know how much amount was misappropriated? ”

THE HON. SRI A. B. SHETTY :—“ The amount misappropriated is Rs. 12,901-9-8 by one gentleman and Rs. 12,083-14-3 by another gentleman.”

SRI P. RANGASWAMI REDDIAR :—“ May I know from the Hon. Minister whether these gentlemen are ‘ gentlemen ’ of the public or members of the co-operative society or members of the staff of the society? ”

THE HON. SRI A. B. SHETTY :—“ They purchasing agents.”

SRI AR. A. RM. CHOKKALINGAM CHETTIAR :—“ ஸார், கூட்டுறவு சொசைட்டி சம்பந்தமாக நடந்த வழக்கில் அதைப்பற்றி விசாரிக்க மும்படி போலீசுக்கு தகவல் வந்ததும் அதை விசாரிக்காமல் இருப்பது அரசாங்கத்திற்கு தெரியுமா? ”

THE HON. SRI A. B. SHETTY :—“ Charges have been framed against the Sub-Deputy Registrar who was the Secretary of this Karaikudi Co-operative Stores. Disciplinary proceedings are still pending with the Deputy Registrar.”

SRI A. RAMASAMI TEVAR :—“ The Hon. Minister for Co-operation has been telling us about ‘ gentlemen who committed misappropriation ’. May I know from the Hon. Minister the exact definition of a ‘ gentleman ’ please? ” (Laughter.)

THE HON. SRI A. B. SHETTY :—“ Not ladies; they are gentlemen.”

SRI K. VINAYAKAM :—“ Sir, in view of the serious allegations made against the Co-operative department and its officials and in view of the fact that the ex-Registrar had been consistently safeguarding them—not on the merits of the questions involved but on

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grounds of communal affiliation—will the Government be pleased to appoint a small committee to go into the serious allegations levelled against that Registrar of Co-operative Societies who is now no more in the service of this Government? May I also know from the Hon. Minister what exactly is the truth behind all these allegations? ”

THE HON. SRI A. B. SHETTY :—“ The Registrar of Co-operative Societies has called for an explanation from this Sub-Deputy Registrar . . . ”

SRI K. VINAYAKAM :—“ I want a definite answer to my question? ”

THE HON. SRI A. B. SHETTY :—“ Charges have been framed against this Sub-Deputy Registrar and disciplinary proceedings are pending with the Deputy Registrar. I do not know what further information the hon. Member wants.”

SRI V. GOPALA GOUNDER :—“ A number of questions are being asked or were asked even last time with regard to the misappropriation of funds of the co-operative societies during the time of that particular Registrar. The Government every time have been giving answers that there was no complaint or that there was no misappropriation. Will the Government be pleased to see that any other private agency is authorized to investigate into these cases and then give an answer instead of relying on the report of the very Registrar against whom complaints were made or are being made? ”

THE HON. SRI A. B. SHETTY :—“ All cases of misappropriation or mismanagement are dealt with by the department.”

SRI P. CHELLATHURAI :—“ பல கூட்டுறவு சங்கங்களில் ஊழல்கள் மலிந்து கிடப்பதாக அடிக்கடி புகார்கள் வருவதால் ஐக்கிய சங்கங்கள் அனைத்தையும் ஒழித்துக்கட்டி அவைகளை அரசாங்கம் எடுத்து நடத்துவதற்கு ஆலோசிக்குமா ? ” (சிரிப்பு.)

THE HON. SRI A. B. SHETTY :—“ The co-operative movement is a very big movement in the State and there are thousands of societies whose transactions amount to several lakhs and crores of rupees. A few cases of misappropriation of funds here and there are inevitable and we cannot help it.”

SRI M. KALYANASUNDRAM :—“ It is true that the co-operative movement is a very useful movement and that is why it becomes the responsibility of the Government to raise its prestige. On more than one occasion, it has been alleged on the floor of this House that all these irregularities have been the result of the encouragement shown by the previous Registrar of Co-operative Societies—Mr. J. C. Ryan. Those facts have not been denied by Hon. Ministers even during their replies to questions. May I suggest to the Government to appoint a small committee to go into all these irregularities and to set right all the things for which the previous Registrar was responsible? ”

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THE HON. SRI A. B. SHETTY :—“ I have already stated that the Government have under consideration the appointment of a Committee to go into the working of these societies and to suggest improvements and all irregularities—whatever irregularities have happened—will also be enquired into by that Committee.”

SRI P. RANGASWAMI REDDIAR :—“ Without being misunderstood I wish to emphasize the point that answers are not generally satisfactory, and only to-day, after at least four questions were put, the fourth question was answered a little bit satisfactorily. In view of the fact that thousands of rupees had been misappropriated not by one single individual but by a number of individuals, may I know from the Hon. Minister during what period the misappropriation of funds took place, what happened during the half-yearly inspection of accounts by auditors and who discovered the misappropriation of funds . . . ”

MR. SPEAKER :—“ The hon. Member has already put three questions.”

THE HON. SRI A. B. SHETTY :—“ The officers of the department have frequently pointed out the unwholesome practice of issuing huge purchase advances to purchasing agencies. But the Board of Directors of the Stores did not stop the practice.”

SRI M. PALANIYANDI :—“ May I know from the Hon. Minister whether the Central Government have appointed Sri K. G. Sivaswami Ayyar to go into the working of these societies or whether the State Government have appointed him to go into the working of these societies and whether he has submitted any report to this Government? ”

MR. SPEAKER :—“ It has nothing to do with the main question.”

SRI P. RANGASWAMI REDDIAR :—“ May I know whether any criminal proceeding were taken either against the directors or persons responsible for the misappropriation of funds? May I also know whether any attempt was made to supersede this society as was done in the case of Ariyalur Society? ”

THE HON. SRI A. B. SHETTY :—“ I have already answered this question.”

SRI K. VINAYAKAM :—“ The position is this, Sir. Whenever a question is put on the floor of the House, the Hon. Minister relies for his reply upon the answers supplied to him by the very Registrar against whom allegations are made. The Hon. Minister, whenever questions are put, reads from what is contained in the files. May I request the Government to appoint a non-official committee, and not an official committee, to go into the allegations made against the ex-Registrar who is not now in the service of this Government? ”

THE HON. SRI A. B. SHETTY :—“ It is a very strange demand. The usual procedure is to send the question to the departmental head for his reply and as soon as his reply is received, it will be examined in the Secretariat. If further clarification is required, the matter will again be referred to him. This is the usual procedure adopted with regard to answering of questions.”

* 262 Q.—SRI M. KATTIMUTHU: Will the Hon. the Minister for Finance be pleased to state—

(a) the amount expended for adult education in the State, district-war in 1953-54; and

(b) how many persons were benefited by adult education?

THE HON. SRI C. SUBRAMANIAM:—“(a) A statement ^a is placed on the table of the House.

“(b) About 11,075.”

SRI R. KUPPUSWAMY:—“ஸார், மேஜையின் மீது வைக்கப் பட்டிருக்கும் ஸ்பேட்மெண்டில் மலபார் ஜில்லாவிற்கு ரூ. 60,985-ம் தென்னார்காடு ஜில்லாவிற்கு ரூ. 53,993-ம் செலவழிக்கப்பட்டிருக்கிறது என்று தெரிய வருகிறது. இன்னும் பார்க்கும்பொழுது மற்ற ஜில்லாக்களுக்கு அதில் மூன்றில் ஒரு பங்கு கூட செலவழிக்கப்படவில்லை. அதன் வித்யாசத்திற்குக் காரணம் என்ன? அதைப்பற்றி என்ன மந்திரி அவர்கள் பதில் சொல்லுவார்களா?”

THE HON. SRI C. SUBRAMANIAM :—“ The work is carried on in the respective districts.”

DR. K. B. MENON :—“ May I know whether there has been any fundamental change in the policy of the Government in regard to adult education? May I also know whether any representations have been made about the policy of the Government in regard to adult education and what the Government have to say about those representations? ”

THE HON. SRI C. SUBRAMANIAM :—“ I have made a few changes in the policy of the Government on adult education and it has been published in the newspapers.”

11-50
a.m. **SRI R. KRISHNAN:**—“ സർ, ഈ അഡ്വർട്ട് എഡ്യൂക്കേഷൻ സെൻററുകൾ ആദായകരമായ ഒരു പ്ലാപാരമായി കണക്കാക്കി ചില ആളുകൾ നടത്തിവരികയാണ്. നാലും അഞ്ചും കീച്ചർമാർ ഈ ഗ്രാൻറ് വാങ്ങുന്നങ്ങ്. അതേസമയം നല്ല നിലയിൽ നടത്തുന്ന പല സെൻററുകൾക്കും ഗ്രാൻറ് കിട്ടുന്നില്ല. അതുകൊണ്ട് ഈ സെൻററുകളുടെ ശരിയായ നടത്തിപ്പിനെക്കുറിച്ച് അന്വേഷിക്കുന്നതിനായി അതതു സ്ഥലത്തെ എം.എൽ.എ. മാർക്കുടേ പദമലപ്പെടുത്താൻ ഗവണ്മെണ്ടു ആലോചിക്കുമോ ? ”

SRI M. NARAYANA KURUP (translation):—“ There are some people who have made adult education a business while there are good institutions which do not get the required grant.

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Will Government authorize M.L.As. also in their constituencies to enquire into this matter and make proper recommendations to Government? "

THE HON. SRI C. SUBRAMANIAM :—" There have been a few good institutions working well and there are a large number of bad institutions also. That is why we have revised the policy now."

SRI K. V. RAMASWAMI :—" கனம் கல்வி மந்திரி அவர்கள் இந்த ராஜ்யத்தில் சுமார் பதினோராயிரம் பேர்கள் முதியோர் கல்விப் பாடசாலையில் படித்துவருவதாகச் சொன்னார். இதில் ஆண்கள் எத்தனை? பெண்கள் எத்தனை? பெண்களே இல்லையென்றால் இனியாவது அவர்களும் படிப்பதற்கு வேண்டிய வசதிகளைச் சர்க்கார் செய்து கொடுக்க முன் வருமா? "

THE HON. SRI C. SUBRAMANIAM :—" I do not have separate figures, Sir."

SRI K. T. RAJU :—" இனிமேல் முதியோர் கல்விப் பள்ளிக்கூடங்கள் நடத்தப் போவதில்லை என்று சர்க்கார் தீர்மானித்துவிட்டதாகப் பத்திரிகையில் வந்த செய்திகள் உண்மையா? "

THE HON. SRI C. SUBRAMANIAM :—" We have now revised the policy with regard to adult education."

SRI P. G. MANICKAM :—" ஸார், முதியோர் கல்வித்திட்டம் நல்ல முறையில் நடத்துவதற்கு ஆலோசனை சொல்வதற்காக உத்தியோகப்பற்றற்ற கமிட்டிகளை ஏற்படுத்த சர்க்கார் முன் வருமா? "

THE HON. SRI C. SUBRAMANIAM :—" Yes, there were Committees. In spite of the Committees, it was not working well."

SRI S. R. ARUMUGAM :—" எந்த ஜில்லாவில் படித்தவர்களின் எண்ணிக்கை கம்மியாக இருக்கிறதோ அந்த ஜில்லாவில் இந்த முதியோர் பாடசாலையை அதிகமாக ஏற்படுத்தி அவர்களுக்கு கல்வி அளிக்க சர்க்கார் முன்வருமா? "

THE HON. SRI C. SUBRAMANIAM :—" Sir, I do not think there is any particular district where literacy percentage is abnormally high and when compared all districts are in the same level. So, adult education will have to go on in all the districts."

SRI K. G. MUNISWAMI GOUNDER :—" Sir, may I know what the revised policy of the Government is? "

THE HON. SRI C. SUBRAMANIAM :—" It has been published in a Government Order, Sir."

Private electricity companies in the State.

* 263 Q.—SRI N. K. PALANISAMY: Will the Hon. the Minister for Public Works be pleased to state the number of private electricity companies in the State?

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THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ There are nineteen companies who have been granted licences under section 3 of the Indian Electricity Act, 1910 and one company who has been granted permission under Section 28 of the above Act to engage in the business of supplying energy.”

SRI N. K. PALANISAMY :—“ தனிப்பட்ட கம்பெனிகளை சர்க்கார் எப்பொழுது எடுத்துக்கொள்ளும் ? அவற்றை எடுத்துக்கொள்வதில் ஏன் தாமதம் ? ”

MR. SPEAKER :—“ This subject came up before the House a number of times.”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ I have already stated that we are drawing up a plan in this matter.”

Determination of fair rent under the Malabar Tenancy Act.

* 264 Q.—SRI M. NARAYANA KURUP : Will the Hon. the Minister for Revenue be pleased to state—

(a) how many applications, taluk-war have been received under the Malabar Tenancy Act, for determination of fair rent; and

(b) how many of them have been disposed of?

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ (a) & (b) The answer ^a is placed on the table of the House.”

SRI M. NARAYANA KURUP :—“ Sir, it was about six months after these petitions were presented that the court began to function and reject them. May I know why there was such inordinate delay in the starting and functioning of these rent courts? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Sir, we have now opened more courts and the work will be speeded up.”

SRI T. C. NARAYANAN NAMBIAR :—“ Sir, the purpose of constituting these rent courts was to minimise the expenditure and vexations to the tenants. Are Government aware of the fact that no uniform policy is followed with regard to the conducting of these courts in the taluks vis-a-vis in the matter of charging batta, process fee, etc.? When the petitions are resubmitted after rectification, stamp fee is levied again. Have the Government received any representations regarding this matter and will Government be kind enough to see that these vexatious things are removed? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Sir, any disadvantages felt will be looked into and made good by the courts that have been established recently.”

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SRI M. NARAYANA KURUP :—“ Inasmuch as proper procedure is not followed and the officers appointed have very little experience in these matters, will the Government see that general rules of procedure are issued for their guidance? ”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Yes, Sir, if necessary, I shall see to that.”

MR. SPEAKER :—“ The hon. Member Sri V. R. Krishna Ayyar is not in his place . . . ”

SRI M. PALANIYANDI :—“ I am authorised and I shall put the question on his behalf, Sir.”

MR. SPEAKER :—“ The hon. Member did not inform me. He may put the question now.”

Family Planning clinics.

* 265 Q.—SRI M. PALANIYANDI (on behalf of Sri V. R. Krishna Ayyar) : Will the Hon. the Minister for Health be pleased to state—

(a) whether the Government have started any centre for giving advice on Family Planning; and

(b) if so, how many and where?

THE HON. SRI A. B. SHETTY :—“ (a) & (b) Sanction has been accorded for the opening of a full-time family planning clinic in each of the following eight institutions :—

- (1) Government Hospital for Women and Children, Egmore, Madras.
- (2) Kasturba Gandhi Hospital, Triplicane.
- (3) R.S.R.M. Lying-in Hospital, Rayapuram.
- (4) Government Headquarters Hospital, Madurai.
- (5) Government Headquarters Hospital, Kozhikode.
- (6) Government Headquarters Hospital, Coimbatore.
- (7) Government Headquarters Hospital, Mangalore, and
- (8) Poonamallee Health Unit.”

MR. SPEAKER :—“ Question No. 266 will also be answered along with this question.”

Opening of birth-control hospitals under the scheme for Family Planning.

* 266 Q.—SRI N. K. PALANISAMY : Will the Hon. the Minister for Health be pleased to state the number of birth-control hospitals opened in the State under Family Planning?

THE HON. SRI A. B. SHETTY :—“ Nil, Sir.”

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SRI V. BALAKRISHNAN :—“ Sir, in view of the indiscriminate excess and profuse birth rate in Malabar, will the Government kindly concentrate all these Family Planning Centres in Malabar? ”

THE HON. SRI A. B. SHETTY :—“ We are beginning at the Headquarters Hospital in Kozhikode, Sir.”

SRI K. R. NALLASIVAM :—“ குடும்பக் கட்டுப்பாட்டு நிலையங்களை கிராமங்களுக்கும் விஸ்தரிப்பதற்கான திட்டங்கள் ஏதாவது சர்க்காரிடத்தில் உண்டா ? ”

THE HON. SRI A. B. SHETTY :—“ In the subsequent stages, it may be done.”

SRI S. PAKKIRISWAMI PILLAI :—“ Sir, Family Planning Centres are used only for giving advice to the lady members of the family. Is there any proposal for opening a Clinic for giving advice separately to the male members of the family? ”

THE HON. SRI A. B. SHETTY :—“ Advice is given to married couple, whether husband or wife or both.”

SRI T. SHANMUGAM :—“ ஐயா, இந்த குடும்பக் கட்டுப்பாட்டு முறையில் இத்தனை ஆண்கள் பிறக்கலாம், இத்தனை பெண்கள் பிறக்கலாம் என்று நிர்ணயித்திருக்கிறார்களா ? ”

THE HON. SRI A. B. SHETTY :—“ The determination of sex is not possible, Sir.”

Use of school buildings for public purposes.

* 267 Q.—**SRI A. RATNAM** : Will the Hon. the Minister for Finance be pleased to state—

(a) whether the Government have issued any orders allowing the school buildings in the State for religious worship, bhajanas, etc.; and

(b) what are the rules now in force regarding the use of State school buildings for public purposes?

THE HON. SRI C. SUBRAMANIAM :—“ (a) Yes, Sir.

“ (b) A copy ^a of G.O. No. 536, Education, dated the 5th March 1951, in respect of the use of buildings for public purpose and also a copy of G.O. No. 2386, Education, dated the 14th October 1953, on the subject of religious worship are placed on the table of the House.”

SRI K. KUNHI MOHAMED SHAFEE :—“ Sir, is it permissible that school buildings are made available for holding general body meetings of co-operative societies and such other institutions? ”

THE HON. SRI C. SUBRAMANIAM :—“ I would like to study the Government Order concerned before I can answer the question.”

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SRI S. R. ARUMUGAM :—“கோயம்பத்தூர் சர்க்கார் கல்லூரியில் ஒணம் பண்டிகை கொண்டாடுவதற்கு இடம் கொடுத்தார்கள். ஆனால் தமிழ் விழா கொண்டாட வேண்டுமென்று இடம் கேட்டபோது இடம் கொடுக்க மறுத்து விட்டார்கள். இது பற்றிய தகவல் சர்க்காருக்கு வந்திருக்கிறதா? அப்படியானால் இதன்பேரில் சர்க்கார் என்ன நடவடிக்கை எடுத்திருக்கிறார்கள்?”

MR. SPEAKER :—“நீங்கள் கேட்கிற கேள்வி ஒரு குறிப்பிட்ட விஷயத்தைப் பற்றியது. ஆகவே தனியாக ஒரு கேள்வி போடுங்கள்.

“The hon. Member may give notice of a fresh question.

“The hon. Member Sri Kattimuthu is not in his place. The answer will be published in the proceedings.”

Improvement of cherries in South Arcot district.

* 268 Q.—**SRI M. KATTIMUTHU :** Will the Hon. the Minister for Religious Endowments and Transport be pleased to state—

(a) the new schemes, if any, drawn up by Area Committees under Act XIX of 1951 in South Arcot district for the year 1954-1955; and

(b) whether there are any schemes among them for the improvement of the cherries in the South Arcot district?

THE HON. SRI B. PARAMESWARAN :—“(a) No, Sir.

“(b) Does not arise.”

Opening of a rural dispensary at Mattool, North Malabar.

* 269 Q.—**SRI K. P. GOPALAN :** Will the Hon. the Minister for Health be pleased to state whether it is a fact that the Government propose to open a rural dispensary at Mattool, Chirakkal taluk, North Malabar?

THE HON. SRI A. B. SHETTY :—“No, Sir.”

SRI K. P. GOPALAN :—“Sir, are the Government aware that this Mattool village is just like an island surrounded by navigable rivers, that this village has a population of 10,000 inhabitants and that it is very difficult for the doctors to go there? In view of these facts, will the Hon. Minister reconsider this question and take early steps to start a Local Fund dispensary there?”

THE HON. SRI A. B. SHETTY :—“Sir, I have repeatedly been saying that starting of rural dispensaries is the work of the district boards.”

* 270 Q.—

THE HON. SRI S. S. RAMASAMY PADAYACHI :—“This question may be taken up to-morrow, Sir.”

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[Note.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

III.—PRIVILEGE MOTION *RE* AMENDMENT TO THE CONSTITUTION—NON-DISCLOSURE TO THE HOUSE OF COMMUNICATION FROM THE CHIEF MINISTER TO THE SECRETARY, A.I.C.O.

MR. SPEAKER :—“ I hope the House would remember that the hon. Member Sri M. Kalyanasundram had given notice of a privilege motion. I read certain principles that should be followed in this case. Some hon. Members wanted that these principles may be translated and copies supplied to them. The translations have been received and that is being distributed only to-day. Therefore, I will take up that question to-morrow.

“ In the meantime, we have also got some printed copies of a ‘ Note on the Privileges of the House of Commons ’. I think we have got about 100 copies and they will also be available for hon. Members and they may take it also. I will take up the Privilege Motion of Sri Kalyanasundaram to-morrow.”

IV.—ANNOUNCEMENT BY THE HON. SPEAKER.

MESSAGE FROM THE GOVERNOR.

12 noon. MR. SPEAKER :—“ I have to announce to the House that I have received the following message from the Governor of Madras :—

‘ In pursuance of Article 207, Clause (1) read with Article 199, Clause (1), Sub-clause (a) of the Constitution of India, I, Sri Prakasa, Governor of Madras, hereby give my recommendation to the introduction in the Madras Legislative Assembly of the Madras Entertainments Tax (Amendment) Bill, 1954. ’”

V.—GOVERNMENT BILLS.

(1) THE MADRAS PRESERVATION OF PRIVATE FORESTS (THIRD AMENDMENT) BILL, 1954.

* THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Sir, I beg to introduce the Madras Preservation of Private Forests (Third Amendment) Bill^a, 1954 and move—

‘ That the Bill be taken into consideration at once.’

I feel a sense of guilt in coming before the House again for asking for an extension of life of this Act. But when I tell the House the circumstances in which I do so and the reasons for which I do so, I hope I shall be acquitted. (Laughter.) When I came before the House last time for the same purpose, it was thought that the comprehensive Bill that I promised would be ready and passed into law by now. But certain difficulties arose and they had to be gone into. One difficulty was the inconsistency of certain provisions of the proposed Bill with the provisions of

^a Published in the Fort St. George Gazette, dated 25th November 1954.

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the Indian Constitution. They had to be examined and certain amendments were suggested by the Advocate-General in relation thereto. Then the Chief Conservator of Forests made certain suggestions and it was thought that they would be useful for a better enforcement of the law. One of them was a provision to make the law more stringent in order to preserve the private forests in a more effective form. The Drafting Department is examining all these and is on the drafting work. Drafting is practically over now. Very soon, the Bill will be ready and introduced in this House. But, as the Act had already lapsed, an Ordinance was issued giving a fresh lease of life to it. This Bill seeks to repeal that Ordinance and to extend the life of the Act till some time in December 1955, so that, meanwhile a comprehensive Bill might be introduced in the House. I hope the House will appreciate the circumstances in which the Bill is brought in and pass it."

MR. SPEAKER :—" Motion moved—

' That the Madras Preservation of Private Forests (Third Amendment) Bill, 1954, be taken into consideration at once.' "

* SRI K. C. GOPALAN UNNI :—" Sir, I am glad that the Hon. the Minister in charge of the Bill before the House feels at least guilty that he has not been able to bring in the comprehensive Bill he promised early this year at one of the Select Committee meetings. I would like to point out that in this matter the Government have been as indecisive as they have been in respect of other pieces of legislation concerning the welfare of our State. In this particular case, the question has been before the Government ever since 1946 and the history of legislation on this subject will show that it has always been one of Ordinances and Acts. Let us study the history of the Act from the year 1946 onwards, and see how many Ordinances and Acts have been passed so far. On the 26th of October 1946, the first Madras Preservation of Private Forests Act was passed by the Legislature and the life of this Act was limited to two years. In 1948, a Government Order was passed extending the life of the Act, but that order was quashed by the High Court and the Governor had to issue an Ordinance, called the Madras Removal of Doubts Ordinance, 1949.

(The Deputy Speaker in the Chair.)

" This M.P.P.F. Act was also included in the Ordinance. Again another Ordinance—Ordinance VIII of 1949—was issued giving retrospective effect to the life of the Act from 3rd December 1948. Then again, Act XXVII of 1949 was passed on the 14th December 1949, extending the life of the Act to 2nd March 1950. So, every year there has been an Ordinance or an Act and in every case, the object of the Government was not to have any comprehensive legislation on the subject. During all these years, on the other hand, forests in Malabar have gone on being denuded and no step whatever has been taken by the Government, except in word, for preserving this precious national and natural wealth,

[Sri K. C. Gopalan Unni] [13th December 1954]

Recently, the problem reached a climax when the Collector of Malabar issued an order warning certain big timber merchants against cutting trees in the forests and refusing to grant them licences. I know the Collector was somewhat hasty in taking this step in that he did not take into consideration the fate of thousands of workers engaged in the trade. But his intention was certainly honest and matters came to a head when three or four big merchants mobilised some four to five thousand workers to agitate against the Collector's orders. Now the Government have given the necessary licences to these people to cut trees. The question of preservation of private forests has not agitated the minds of the British rulers also. If we peruse the records of the Board of Revenue, we will find that ever since 1800, reports after reports have been submitted by the Collectors of Malabar in this matter, and we will also see that the idea of the rulers was not to preserve the private forests but to preserve the interests of private land-holders. Their interests were paramount to the British Government. I am afraid even to the present Government, their interests alone are paramount. This is evident from the fact that they are still in doubt as to what is to be done in the matter. I hope the Government will not go on having such temporary measures only, allowing the forest officers in Malabar who are in charge of private forests to do what they please. Sir, recently I visited a forest area in Malabar near Perinthalmanna called Amminillkad. I found the whole forest completely denuded.

12-10
p.m.

"I went to that place and investigated. On the day previous to the day I went the Assistant Conservator of Forests who is in charge of those forests along with the Ranger and foresters had come and inspected. The very night a lorry-load of timber had been removed from that place to Feroke. On the day I went I saw that so many pieces of timber had already been removed. The people there did not take proper action at the proper moment. I went to the Tahsildar and made a complaint. He sent a Revenue Inspector. Both myself and the Revenue Inspector went to the place and seized timber. A case has now been registered against some people. In spite of repeated requests to Government, Government have not taken proper action against those who cut trees indiscriminately. I request Government to view this matter seriously, take proper action and see to it that the forests in Malabar whether in the hands of private jannies or timber merchants who have joined the Congress movement now are properly protected. Let the Government see to it that these Congressmen, who have joined the movement only now, are not allowed to treat the national wealth, I mean our forests, as their own property and destroy them as they like."

* SRI R. KRISHNAN :—“മിസ്റ്റർ ഡെപ്യൂട്ടി സ്പീക്കർ, സർ, ഈ നിയമം വാസ്തവത്തിൽ വനങ്ങളെ സംരക്ഷിക്കുന്നതിനും ആവശ്യമാണെങ്കിലും ഇതിലുദ്ദേശിച്ചിരിക്കുന്ന നടപടികളുമല്ല അനാവശ്യമായി കണ്ടുവരുന്നത്. വനസംരക്ഷണനിയമത്തെ പൂർണ്ണമായും വകവെക്കുന്നതെ കാട്ടുകൾ വെട്ടി നശിപ്പിച്ചുവരുന്നുണ്ട്. അഞ്ചുകുറിയോളം

“ ஒரு பிரதேசத்தில் சாதாரண மூட்செடிகள் இருந்தாலும்கூட அவைகளைக் ‘காடுகள்’ என்று காட்டிலாகா அதிகாரிகள் நிர்ணயித்து விடுகிறார்கள். திருச்சிராப்பள்ளி ஜில்லாவில் கொள்ளிடங்கரையில் சிறு சிறு மரங்கள் இருக்கின்றன. அவைகளைக்கூட காடுகள் என்று நிர்ணயித்து பல தொந்தரவுகளைக் கொடுத்துவருகிறார்கள். இம்மாதிரி தொந்தரவுகளைத் தவிர்ப்பதற்கு சர்க்கார் நல்லதொரு சட்டம் இயற்றவேண்டும்.

“ மலபார் ஜில்லாவிலுள்ள காடுகள் நல்ல முறையில் நிர்வகிக்கப்படவில்லை. அங்கு பெரிய பெரிய தொழில்கள் நடைபெறுகின்றன. தனிப்பட்ட முதலாளிகளும் அதிகாரிகளும் அங்குள்ள காடுகள் பராமரிப்பு சம்பந்தமாக காரியங்களைச் செவ்வனே செய்துவராமலிருப்பதை சர்க்கார் மாற்றியமைக்கவேண்டும். மலபாரிலுள்ள அரசாங்க அதிகாரிகள், சென்னை சட்டசபை அங்கத்தினர்கள், பார்லிமெண்ட் அங்கத்தினர்கள் ஆகியவர்களெல்லோரையும் கொண்ட நல்லதொரு கமிட்டியை அமைத்து அங்குள்ள காடுகள் நிர்வாகம் சம்பந்தமான காரியங்கள் என்னவென்பதை நிர்ணயம் செய்யவேண்டும். ஆகவே, அரசாங்கம் காடுகள், பராமரிப்பு சம்பந்தமாக விரிவான நல்லதொரு சட்டத்தைக் கூடிய சீக்கிரம் கொண்டு வரவேண்டுமென்று கேட்டுக்கொண்டு என்னுடைய வார்த்தையை முடித்துக் கொள்கிறேன்.”

* SRI C. H. KANARAN :—“മിസ്റ്റർ ഡെപ്യൂട്ടി സ്പീക്കർ, സർ, വനസംരക്ഷണനിയമത്തിന്റെറ കാലാവധി അടുത്ത ഡിസെമ്പർവരെ നീട്ടണമെന്നു ഗവൺമെന്റ് കൊണ്ടുവന്നിട്ടുള്ള ഈ ബില്ലിന്നു കാലാവധി ജൂൺവരെ മാത്രമേ നീട്ടിക്കൊടുക്കാവൂ എന്നൊരു കോൺഗ്രസിയാണ് ഞാൻ കൊടുത്തിട്ടുള്ളത്. സ്വകാര്യവനങ്ങളെ സംബന്ധിച്ചു ഗവൺമെന്റ് ഇതേവരെ കാറ്റുവാഴി ചിന്തിച്ചിട്ടില്ല. വനസംരക്ഷണനിയമം എങ്ങിനെയിരുന്നാലും ശരി, ആതു നടപ്പിലാക്കേണ്ടതെന്നു തീർന്നു പരിശോധിച്ചാൽ വനങ്ങളെ സംരക്ഷിക്കുക എന്നൊരു ഇതേവരെ ഉണ്ടായിട്ടില്ലെന്നു നിർണ്ണയിക്കാം. വനസംരക്ഷണമെന്നപേരിൽ വനങ്ങളെ പലതരത്തിൽ നശിപ്പിക്കുകയാണ് ഇന്നു ചെയ്യുകൊണ്ടിരിക്കുന്നത്. മറ്റു പ്രദേശങ്ങളിലെ സ്ഥിതി എന്നാണെന്നു എനിക്കു നിശ്ചയിച്ചിട്ടില്ല, എങ്കിലും മലബാറിലെ അനേകം അതാണ്. കോഴിക്കോടു താലൂക്കിൽനിന്നും കോട്ടയം താലൂക്കിൽനിന്നും വയനാട്ടിലേക്കു പോവുകയാണെങ്കിൽ കാണാൻ സാധിക്കും ഇരുവശങ്ങളിലേയും വനങ്ങളെല്ലാം വെട്ടിത്തെളിയിച്ചു വെറും തരിശുഭൂമിയായി നിന്നു കിടക്കുന്ന പ്രദേശങ്ങൾ. വനസംരക്ഷണനിയമമനുസരിച്ചു കുറേ മരങ്ങളെല്ലാം മുറിക്കുന്നതുവഴിച്ചിട്ടുണ്ട് ; എന്നാൽ, ആ മരങ്ങളൊന്നുമല്ല മുറിക്കുന്നത്. ലൈസൻസ് വാങ്ങിക്കൊണ്ടും വാങ്ങാതെയും ഇക്കുംപോലെ മരങ്ങൾ വെട്ടിയിറക്കിക്കൊണ്ടുപോകുന്നതിനുള്ള സൗകര്യം ഇന്നു ചിലക്കു കിട്ടുന്നുണ്ട്. പ്രബലന്മാരായ ആളുകൾക്കു കുറച്ചു അധികാരം കിട്ടിയാൽ മതി, അവർക്കു ഇക്കുംപോലെ ഭൂതപയോഗപ്പെടുത്താനുള്ള ലൈസൻസായി. അതാണ് ഇന്നു മലബാറിൽ നടക്കുന്നത്. അതിനെ തടയാൻ ഗവൺമെന്റിന്നു സാധിച്ചിട്ടില്ല. ഗവൺമെന്റിന്നു അതിനുള്ള ശക്തിയില്ല. കാരണം സാധാരണക്കാരല്ല ഇതിലേപ്പെട്ടിരിക്കുന്നത്. ഏറെയും പ്രബലന്മാരായ ചില മുതലാളിമാരും ജന്മിമാരുംമാണ് ഇങ്ങനെ വനങ്ങൾ കൊള്ളയടിച്ചു കൊണ്ടിരിക്കുന്നത്. ഗവൺമെന്റിന്റെ ഏറെയും ഉയർന്ന ഉദ്യോഗസ്ഥന്മാരെപ്പോലും, എന്തിനാ, മന്ത്രിമാരെപ്പോലും സാധാരണക്കാർക്കു പ്രാപ്തിയുള്ള കൂട്ടമാണ് അവർ. ഇക്കൂട്ടരുടെ കൊള്ള തുടർന്നു പോയാൽ മലബാറിലെ വനങ്ങൾ നാശപ്രശ്നമാകുമെന്നു ബോധ്യമായതിന്റെറ ഫലമായിട്ടാണ് അടുത്ത കാലത്തു ഡിസ്ട്രിക്ട് കലക്ടർ മരംമുറിച്ചു നടത്തുകൊണ്ടു ഉത്തരവു പുറപ്പെടുവിച്ചത്. അതിനെത്തുടർന്നു അവിടെ ഒരു വലിയ പ്രക്ഷോഭംതന്നെ നടന്നു കൊണ്ടിരിക്കുകയാണ്. പലദിനം ഒരു നിയമമോ ഉത്തരവോ പുറപ്പെടുവിക്കു വനങ്ങളെ യെല്ലാം സംരക്ഷിച്ചുകൊള്ളണമെന്നാണ് കലക്ടർ വിചാരിച്ചതെന്നു തോന്നുന്നു. അതു നടപ്പുള്ള കാര്യമല്ല. വനസംരക്ഷണത്തിന്നു വിശേഷിച്ചും മലബാറിൽ കൂടുതൽ കാര്യമായ നടപടികൾ അത്യാവശ്യമാണ്. അതിന്നു പററിയ ഒരു പുതിയ നിയമം ഉണ്ടാക്കിയേ തീരൂ. അതങ്ങു ചുമച്ചാ എഴുതി ഉണ്ടാക്കിയാൽ പോരാം. ഉദ്യോഗസ്ഥന്മാരും അനുദ്യോഗസ്ഥന്മാരുമടങ്ങിയ ഒരു അന്വേഷണക്കമ്മീഷനെ നിയമിക്കണം. ആ കമ്മീഷൻ വനങ്ങളുള്ള പ്രദേശങ്ങൾ മേപ്പുസമീപം മുറിച്ചു നടന്നു പരിശോധിച്ചു ഏതെല്ലാം വനങ്ങളാണ് സംരക്ഷിക്കേണ്ടതു്, അതെങ്ങിനെയാണ് സംരക്ഷിക്കേണ്ടതു് എന്നെല്ലാം സൂക്ഷ്മമായി പരിശോധിക്കാനോ ആ കമ്മീഷന്റെ ശുപാർശയനുസരിച്ചു വേണം വനസംരക്ഷണത്തിന്നു ഒരു നിയമമുണ്ടാക്കാൻ. അല്ലാതെ വനസംരക്ഷണമെന്ന പേരിൽ വനങ്ങളെ വെട്ടി നശിപ്പിക്കാൻ അനുവദിക്കുകയല്ല വേണ്ടതു്.”

[illegible]

12-26
p.m.

[Sri B. Vaikunta Baliga][13th December 1954]

the interest of the State requires the curtailment of the full amplitude of his right. At the same time it must not be forgotten that this interference should be permitted and in fact it is absolutely essential. The question naturally arises as to what Government had done till now to make good the loss caused by the denudation of private forests, in exercise of their own rights. Is it that the Forest Department has no places, has no ideas, has no schemes to supplement the forest wealth in the wider interest of the State? Referring to the particularly extensive hill tracts in South Kanara I know that Government do own lands where huge forests exist but which have not been surveyed even till now. In addition there is fairly unlimited stretch of forests for further exploitation and I find little or nothing had been done by Government to pursue this question which will yield fruitful results and which will at the same time help the Government not to ask for the extension now prayed for.

"So far as the forest policy of the Government is concerned, I am aware that the Congress of Forestry held recently has revealed the fact that Government are studying these problems with great care. But still the Bill that is now before us is an inroad into the rights of the parties. I would very much desire that Government should be more alert, should be more active, should pursue the broad policy already enunciated and try to see that this Statute does not continue beyond any period which is absolutely essential in the interest of the State. Thank you, Sir."

* SRI M. NARAYANA KURUP :—"Mr. Deputy Speaker, Sir, there can be no two opinions that the forest wealth of this country should be preserved because our country is deficient in forest wealth, a deficiency which is shared by this State as well. We all know that during the war period when timber could not be easily obtained and there was great demand for charcoal, timber used to be sold at a very high rate. There was indiscriminate cutting of trees then, in this as well as in other parts of the country. When the war was over, the Government realised the magnitude of the losses suffered. There are Government forests and private forests. Most important forests in this State are in the hands of private owners and in the West Coast. To prevent indiscriminate cutting of trees in the private forests, Government introduced a temporary legislation. Our grievance is not that the legislation should be scrapped but that Government should bring a permanent measure to preserve our forest wealth. It has been pointed out that forests are the properties of private owners and that Government should not interfere with their rights unnecessarily. I agree, Sir, that we should attach a certain amount of sanctity to ownership but the very idea of ownership is changing now-a-days and to-day it has become an accepted position that ownership is a social concept. Therefore, we are entitled to restrict the unlimited rights of the owners in the interests of society, the State and the nation. I do not find anything repugnant to that idea in the present enactment. It is not as though

13th December 1954] [Sri M. Narayana Kurup]

even the existing Act did not give sufficient powers to the Government to preserve the forests and prevent the indiscriminate destruction of the forests but it has been a sad commentary on this legislation that it was very inefficiently enforced. Had it been so, there would have been some improvement after the legislation was passed, but we are sorry to note that during the last eight years, as a result of the administration of this Madras Preservation of Private Forests Act, there has been no improvement in the conditions of the forests in our State. As has been promised by the Hon. Minister for Revenue, the Government would soon bring a permanent legislation, but I would request them to see that in the interval the law is properly and strictly enforced. As I have pointed out already, the Government are clothed with ample powers even under the present legislation. They can say that only trees of certain age and beyond certain girth shall be cut, but all these restrictive and benevolent provisions of the Act are absolutely thrown to the winds. If a big merchant is given licence to cut 1,000 trees, he actually cuts 10,000 trees. If he is allowed to cut only trees of a certain girth, he cuts and removes even the smallest saplings. There is nobody to question him. The real difficulty is that the officers or the watchmen on the spot are themselves helpless in this matter because the pressure comes from higher quarters. Therefore, while we do not condone the negligence on the part of the Government for not bringing in a permanent legislation, we will support this measure, of course, on the assurance of the Government that in the meanwhile all possible and feasible steps would be taken for the strict enforcement of the provisions of the existing Act."

* SRI K. KUNHI MOHAMED SHAFEE :—" Mr. Deputy Speaker, Sir, this is not the first time that an amendment to the Madras Preservation of Private Forests Act is being brought before this House to extend the life of the Act. The Act had been in force for the last six or seven years, but in its working many complications arise and sometimes difficulties and hardships are felt by those who are engaged in the felling and sale of timber in the Malabar district. My information is that the intention of the Government in enacting such a legislation in the year 1946 was to take over all the private forests in the State but nothing has been done so far in this direction. The only way to preserve these forests is to enact a law which will enable the Government to take over all the private forests as early as possible. I request the Government to bring forth a legislation for taking over all the private forests paying compensation in the district of Malabar on the lines of the Zamindari Abolition Act. Pending the introduction of such a legislation, I would request the Government to make necessary amendments in the rules just to compel the owners of these private forests to demarcate their forests into compartments and coupes as in the case of Government forests, before they send their applications for the issue of permits for cutting

[Sri K. Kunhi Mohamed Shafee] [13th December 1954]

the trees. They should also be compelled to take necessary steps for the regeneration of such trees cut by them and to preserve the forests as far as possible without completely denuding them. The officials concerned should also see that these rules are adhered to by the owners as well as the workers. I therefore request the Government to bring forth a legislation on the lines suggested by me. Thank you, Sir."

* SRI V. R. NAGARAJAN :—" Mr. Deputy Speaker, Sir, I welcome this Bill because it relates to a very important asset of our country. We have very few forests in our State and the necessity for preserving them need not be stressed, for it is only through forests that we get all the natural advantages which we require for maintaining the normal conditions of life. They are useful for our getting good rains. That is an acknowledged proposition. During war time between the years 1939 to 1945 the forests were denuded for several reasons. War time exigencies and domestic needs for enough of wood for fuel induced us to get into the forests and almost destroy them. Now that we are in an atmosphere of peace, it is essential to see that these forests, whether owned by Government or by private agencies, are preserved, consistent with safeguarding the rights of the owners of the forests and the Government *inter se* and the people also, if I may bring in them. Forests are owned by Government as well as private persons. We are not concerned with Government forests in this Bill. As regards the rights and privileges of the owners of private forests, we are now in a Republic and private owners should not be allowed to enjoy the same rights as they once enjoyed in feudal times. The rights of the people must more and more be increased and the rights of the owners must more and more be curtailed. In this respect there is need for effecting legislative changes to see how we can confer new rights on the people and how, at the same time, we can curtail the rights of the owners. For example, if we take into account the trade aspect of the forest produce we find that private owners are getting enormous income by the sale of timber. Is it necessary to allow them to continue to enjoy this special privilege because they happened to enjoy it by accident? Is it not necessary under present-day circumstances to see that such indiscriminate felling and outright sale of the trees does not take place for the selfish advancement of a few individuals and that the forests are put to better use? We may allow grazing rights freely for the common people who reside near the forests. Poor people may be allowed to carry head-loads of faggot so that they may use it for kitchen purposes. Common people may be allowed access to these forests so that they may gather manue for their lands for improving food production. These are some of the elementary rights of the common man for which we can make provision. I do not know whether the present Bill contains provision for any of these and I think it does not. I therefore, request the Government and the

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Hon. the Minister for Revenue to bring in a comprehensive legislation very soon providing for these rights, balancing the rights, privileges and the duties of the owners of these private forests and the public."

* **SRI K. MADHAVAN NAMBIAR** :—“മിസ്റ്റർ സ്പീക്കർ, സർ, 12-40 p.m.
വനങ്ങൾ ഈ സംസ്ഥാനത്തിലെ ഒരു പ്രധാന സമ്പത്താണ്. ഈ വനങ്ങളെ ആഴയകമായ നിലയിൽ സംരക്ഷിക്കുന്നതിനു ഉതകുന്ന ഒരു നിയമമുണ്ടാകാൻ ഗവണ്മെന്റിനു ഇതേവരെ സാധിച്ചിട്ടില്ലെന്നു കാണുന്നതിൽ വ്യസനിക്കുന്നു. ഉള്ള നിയമത്തെത്തന്നെ ഇന്നു അങ്ങേ അററം ഉരുപയോഗപ്പെടുത്തുകയാണ്. പണക്കാരായ ആളുകൾ മരം മുറിക്കാൻ ലൈസൻസ് വാങ്ങിക്കൊണ്ടു യാതൊരു നിയന്ത്രണവുമില്ലാതെ യാതൊരു വ്യവസ്ഥയെയും മാനിക്കാതെ വനങ്ങൾ കണ്ടുമാനം വെട്ടി നശിപ്പിക്കുന്നുണ്ട്. ലൈസൻസ് ഇല്ലാതെയും ധാരാളം മരങ്ങൾ മുറിക്കുന്നുണ്ട്. അതിനൊന്നും യാതൊരു കേസ്സുമില്ല. കേസ്സടുത്താൽതന്നെ തെളിവില്ലാതെ പോവുകയും ചെയ്യും. അതേ സമയത്തു മരം മുറിച്ചു കഴിഞ്ഞു സ്ഥലത്തു വല്ല സാധുക്കളും കൃഷിയിറക്കുകയാണെങ്കിൽ അവരുടെ പേരിൽ കേസ്സുകൾ കയ്യും. കോട്ടയം താലൂക്കിൽ മണത്തന്ന അംശത്തിൽ മുതലാളിമാർ ലൈസൻസില്ലാതെ ധാരാളം മരങ്ങൾ മുറിച്ചെടുത്തിട്ടുണ്ട്. അവിടെ കൃഷിയിറക്കിയവരുടെ പേരിൽ എടുത്തിട്ടുള്ള കേസ്സുകൾ പിൻവലിക്കണമെന്നു കഴിഞ്ഞ മൂന്നു കൊല്ലമായി നിവേദനങ്ങൾ നടത്തിക്കൊണ്ടിരിക്കുകയാണ്. ആ കേസ്സുകൾ പിൻവലിക്കുവാനുള്ള സമരണു ഇതുവരെ ഗവണ്മെന്റിനു ഉണ്ടായിട്ടില്ല. അതേ സമയം ലൈസൻസില്ലാതെ കണ്ടുമാനം മരങ്ങൾ വെട്ടിയിറക്കിക്കൊണ്ടുപോകുന്ന മുതലാളിമാരുടെ പേരിൽ യാതൊരു നടപടിയുമില്ല. അടുത്ത കാലത്തുതന്നെ കൂറുപറമ്പിൽ റവന്യൂ ഇൻസ്പെക്ടർ, ലൈസൻസില്ലാതെ കടത്തിക്കൊണ്ടുപോകുകയായിരുന്ന—ഒരു ലോറി മരം കൊട്ടിയുൾവെച്ചു തടഞ്ഞു കേസ്സാക്കുകയുണ്ടായി. കേസ്സ് എങ്ങിനെ അവസാനിച്ചുവെന്നു അറിഞ്ഞില്ല. ചാത്തു റജിസ്ട്രാർ ചെയ്യു സ്ഥലത്തുപോലും കൃഷിചെയ്യാൻ സമ്മതിക്കാതെ ഗവണ്മെന്റ് കൃഷിക്കാരുടെ പേരിൽ കേസ്സെടുക്കുന്നതിനു ധാരാളം ഉദാഹരണങ്ങളുണ്ട് വനസംരക്ഷണനിയമം വേഴ്ചഡിയം പരിഷ്കരിക്കുകയും പ്രയോഗത്തിൽ കൊണ്ടുവരികയും ചെയ്യപ്പെട്ടിരിക്കിൽ നമ്മുടെ വനങ്ങൾ മുഴുവൻ നശിച്ചുപോകും. റൂറേറകുള്ള വനങ്ങൾ മാത്രമേ ഈ നിയമത്തിന്റെ പരിധിയിൽ വരുന്നുള്ളൂ. തൊണ്ണൂറൊമ്പതു ഏക്കർ വരെയുള്ള വനങ്ങൾ ചാത്തുന്നതിൽ ഇപ്പോൾ യാതൊരു തടസ്സവുമില്ല. അങ്ങിനെ റൂറേറകിന്നു താഴെയുള്ള വനങ്ങളെല്ലാം ചാർജിച്ചാൽ ഇന്നു മിക്കവാറും വനങ്ങളെല്ലാം നശിച്ചിരിക്കുകയാണ്. അതുകൊണ്ടു ഇന്നയിന്ന ഇടമെല്ലാം വനമുക്കി സംരക്ഷിക്കണമെന്ന നിയമപ്പെടുത്തണം. ഇതിനെ സംബന്ധിച്ചെല്ലാം ശരിയായി അന്വേഷിച്ചു പഠിക്കുന്നതിനു ഒരു കമ്മീഷനെ നിയമിച്ചതിനുശേഷമേ സമഗ്രമായ ഒരു നിയമം കൊണ്ടുവരാൻ പാടുള്ളൂ. ഗവണ്മെന്റ് എത്രയും വേഗത്തിൽ അതു ചെയ്യണമെന്നു അഭ്യർത്ഥിക്കുന്നു. അതിന്നു കാലതാമസം വരുത്തിയാൽ നമ്മുടെ വനങ്ങൾ മുഴുവൻ നശിച്ചുപോകുന്നതാണ്.”

* **DR. K. B. MENON** :—“Mr. Deputy Speaker, I had occasion to refer to the Madras Preservation of Private Forests Act when I was talking on the Governor's Address. There is an issue which is agitating the minds of the people of Malabar and that is in connexion with the order passed by the Collector of Malabar against indiscriminate cutting of trees. There was a very enlightening editorial covering three columns in the local leading Congress paper 'Mathrubhumi' wherein considerable light was thrown on the hue and cry that was raised against the Collector's order and also on the condition of forests in Malabar to-day. In that editorial a statement was made that the Collector had refused permission to cut trees only to three or four big merchants. I do not know whether the Government have checked up the facts and whether the statement that has appeared in the editorial of the 'Mathrubhumi' is correct or not. If the statement is correct and

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if permission has been refused to only three or four big merchants, I do not understand why there is this hue and cry. The hue and cry then becomes a bogus and artificial one. In the 'Mathrubhumi' of the 7th instant, there appeared a news item that as a result of the representations made to the Hon. the Chief Minister, he had assured the merchants and issued orders to the Collector that free cutting of trees should be allowed. I do not accept what appears in the paper and the Ministers have often told us that we should not give much credence to what appears in the papers. I would, therefore, like to have a clarification on that point from the Hon. Minister. I do not see how the Government could issue a blanket order permitting the private merchants to cut trees indiscriminately. I doubt whether such an order has been issued. If it has been issued, certainly, it must be an order overriding the orders of the Collector. The Collector, I know, was the Conservator of Forests for the Madras State. He is quite familiar with the condition of forests all over the Madras State. If he passed any order restricting the cutting of trees, I am quite sure that he did it because he realized the need for exercising discretion in the matter of permitting the cutting of trees, particularly in Malabar. Now, if the Collector's orders are overridden by the orders of the Chief Minister, there must, certainly, be something wrong with the Act—The Act must be imperfect and the Collector strictly interpreted the Act and issued the orders. In either case, I am quite sure that the Madras Preservation of Private Forests Act, as it stands, needs considerable amendment. The mere extension of the Act does not satisfy the immediate needs, if the Act is imperfect and if there is any way open to bring pressure upon the Ministers to allow the private merchants to cut the trees, then we will only be extending them that opportunity by merely extending the Act for another year. I, therefore, hope that the Act will be so amended immediately so as to prevent the indiscriminate cutting of trees from private forests.

“ Referring to the Act itself, I have one or two suggestions to make. Certainly, no one will claim that no tree should be cut from the forest. But the complaint that I have against the Government is the lack of a policy. The Government have no policy with regard to forest administration. That is why the new legislation which the Government promised so long ago has not been brought in so far. The Government have also been very tardy in spending the allocation claimed by themselves. In the Finance Minister's Budget statement last year it was stated that in 1951-52 there was an allotment of Rs. 74 lakhs. In the subsequent year, 1953-54, only a sum of Rs. 11 lakhs was spent. It meant that less than 18 per cent of the allotment was claimed. For this year, the amount claimed is only Rs. 4 lakhs. This means that much less than 18 per cent of the amount claimed by the Government has been spent on forests. This underspending, I am afraid, is only an indication of the lack of interest the Government are taking in rehabilitating the forests in our country. What

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I would urge upon the Government is that they should lay down a clear policy with regard to the administration of forests and stick to it. Just as there are animal sanctuaries, there should be tree sanctuaries in the forests in our State. A certain portion of the forests must be preserved as a sanctuary. I think we do not have even 15 to 20 per cent of the forest area recommended by the policy commission. There are certain forests that are necessary for flood control, soil conservation and for other preventive, preservative and productive purposes. I want the Government to set apart such forests as sanctuaries. In other areas, they can allow people to cut trees. That is not very difficult and that will be a policy which can be easily worked. Take for instance countries like Norway, Sweden and Canada which send out millions of tons of news-print every year. A number of trees are cut there every year but the number of trees cut do not exceed the number of trees planted. If our Government also have some such plan, I am sure our forests will not go to rack and ruin. If our forests are allowed to be denuded or destroyed in this manner, I am afraid the fate of the Rayalaseema will be awaiting the Madras State. I warn the Government of this danger. Let them take care to see that the Act is tightened and private-owners are not allowed to cut trees as they like. The Government must also take steps to acquire the private forests as soon as possible and to see that the natural resources of the State are not left in the hands of a few private dealers who care only for their personal gains."

12-50
p.m.

* THE HON. SRI M. A. MANICKAVELU NAICKER :—
" Mr. Speaker, I carefully listened to the suggestions and criticisms of the hon. Members. The object of both the Government and also hon. Members is to preserve the forest wealth of the State. It is with that view only that a comprehensive Bill was sought to be introduced as early as 1951. A Bill was actually introduced in the then Legislative Assembly and it was also referred to a Select Committee. The Select Committee also sat for one or two days. But the Bill had to be given up as the then Government thought that in view of the impending General Elections and the formation of a new Legislature, it would be better to leave further consideration of the matter to the new Legislature. As I said earlier, certain difficulties arose in the meantime. Certain provisions of the Amending Bill came into clash with the provisions of the Constitution. This aspect had to be looked into. Also, the Chief Conservator of Forests suggested certain changes and improvements in order to make the Bill more useful. All these aspects were taken into consideration and the drafting is also going on and we are giving final touches to the drafting. I hope that with the least possible delay the Bill will be brought before the Legislature. But as things stand at present, it will not be possible to have it enacted in a month or two. Even though we may meet in the first week of February next, our hands are full with very urgent and important pieces of legislation. So it will take a few months more. That is why, to be

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on the safe side, we have requested this extension of one year. I can assure hon. Members that as soon as everything is ready, the Bill will be brought before the Legislature.

“ With regard to the working of the present Act, I wish to tell hon. Members that the Government are doing all that is possible to enforce the provisions of the Act. Even with regard to the cutting of trees and other matters referred to by the hon. Gentleman Dr. K. B. Menon, I may state that there is no question of yielding to pressure of either the merchants or the Members of the Legislative Assembly. What is sought to be done is to enforce the rules properly. This we have been doing all along. With regard to the girth of certain species of trees, there is a rule that a tree below certain specifications should not be cut. This specification varies with the different species of trees. In respect of certain trees, the girth fixed is 5 feet, and in respect of some other trees, a different specification is fixed. The rule framed in this regard is being enforced. But the Collector seems to have issued an order recently that the girth regulation should be enlarged. To preserve the forests, the rule has provided a minimum girth. If any trees below the minimum girth fixed are cut, surely it has to be prevented and the person or persons responsible should be penalized. The Government are quite clear about it and they have been enforcing this rule. But if all on a sudden a wider width is prescribed, it will create some hardship. All along a certain minimum girth was fixed and the people were following that rule. On the basis of this minimum girth, they might have committed themselves to certain labour contracts, trade contracts and so on. Without notice, if we are to inflict suddenly a new rule on them, which is beyond the usual customary practice followed till now, it will seriously affect them and the trade. The Government thought that the rules which have been followed all along may be observed, and this is the order that has been issued. It is not a new order. There is no question of partiality or lessening the rigour of the rule. Nothing of the sort has been done. A new officer thought that something could be done, by enlarging the discretionary power in him, to fix a larger girth. Under the present circumstances, it was thought that it was too much of a restriction and so the Government issued necessary instructions in the matter.

“ The Government are strictly enforcing the rules as at present embodied in the Act. When the new Bill comes into force, all these considerations will be taken into account and I hope there will be no room for any complaint. Meanwhile, let us carry on with the present Act of course strictly enforcing the rules embodied therein. I therefore request the House to take the Bill into consideration and proceed with the clause by clause consideration also.”

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MR. SPEAKER :—" The question is—

' That the Madras Preservation of Private Forests (Third Amendment) Bill, 1954, be taken into consideration at once.' "

The motion was put and carried.

MR. SPEAKER :—" Let us proceed with the clause by clause consideration of the Bill. We may take clause 1 and the Preamble at the end."

Clause 2.

MR. SPEAKER :—" The question is—

' That clause 2 do stand part of the Bill.' "

1 p.m.

SRI T. C. NARAYANAN NAMBIAR :—" Mr. Speaker, Sir, I move—

' For the figures, letters and word " 2nd December 1955 ", substitute the figures, letters and word " 2nd June 1955 ".' "

SRI C. H. KANARAN :—" I second the amendment, Sir."

* **SRI T. C. NARAYANAN NAMBIAR** :—" Sir, the purpose of my amendment is to draw the attention of the Government to the fact that it is high time that a comprehensive Bill is brought and passed into law for the preservation of forests without injuring the timber industry which can be done within the purview of the rules intended for maintaining the forest wealth of our country. In this connection I would like to say that the Government have neither a definite policy with regard to the forests nor do they have a clear perspective. What is their perspective, Sir? Do the Government want that all lands in Malabar should be called forests? I think it is their only policy. Forests as such have not been demarcated or surveyed. Why not they appoint survey officers and see that these forests are surveyed as in the case of the reserved forests belonging to Government? ' The private forests also should be surveyed and demarcated and preserved. Otherwise there would be too much harassment and trouble caused to the poor agriculturists. For example under the definition of private forests owned by persons or individuals or families all lands extending over an area of hundred acres are treated as forests. In between, there might be cultivable waste lands, lakes, tanks, gardens and all these things. These are also treated as forests for the purpose of definition under the Act. It may happen that a certain small piece of land belonging to an individual may have to be mortgaged, or sold for the purpose of raising some money. According to the present Act such an action is liable to be penalised. The person has to get the permission from the Collector to sell it or mortgage it. I can understand the provision, that a person should get the permission of the Collector, if it is the forest. But there are cases where there are no trees and no forests and mere land is sold to a third party. Even in such cases the persons are penalised. I do not know why such hardship should not be removed. Anyhow I want the

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Government to bring in a comprehensive legislation immediately. That is the reason why I have cut short the period of extension asked for by the Government and suggested extension only up to 2nd June 1955."

* SRI C. H. KANARAN :—" Mr. Speaker, Sir, I support the amendment moved by the hon. Member Sri Narayanan Nambiar. From the Minister's speech I understand that there is no definite policy followed by this Government for the preservation of private forests. Though the Minister has repeatedly stated that preservation of private forests is necessary in the interests of the country, how they propose to preserve them has not been clearly mentioned by him. What is happening now, as I stated before, is that forests are being cut down in almost all places. If we are to preserve the forest, those areas should be clearly demarcated. Unless this is done there is no use of saying that forests should be preserved. Now the 'poonam cultivators' are not allowed to cultivate. That is the only effect of the policy now followed by the Government. Hundreds of people are being arrested, and even now cases are pending before Courts. But big merchants go and cut trees as they like. That is what is taking place now. My suggestion is that the Government should appoint a Committee consisting of officials and non-officials, including members of this Assembly and that Committee should enquire into the matter and see what should be done. With the help of the Forest Department alone, the Government cannot preserve the forests. With the request that a Committee should be appointed to go into the question of preservation of private forests, I support the amendment of the hon. Member of Sri Narayanan Nambiar."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" I think, Sir, that the amendment refers to the date. The suggestion is that the date should be changed to 2nd June 1955."

MR. SPEAKER :—" The hon. Member probably wanted to bring the notice of the Government certain facts. He may not be pressing his amendment. I think he has made it clear. He is not opposing the Bill. Probably the hon. Member is withdrawing his amendment."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" As I said, Sir, I will look into all aspects of the suggestions and criticisms made by the hon. Members . . ."

* SRI T. C. NARAYANAN NAMBIAR :—" Sir, the fact is this. It is not simply to invite the attention of the Hon. Minister to certain things that I moved my amendment. I expect to get an assurance from the Hon. Minister as to when the comprehensive Bill will be brought forward. This is the sixth time that the Government are coming before the House for an enactment of this sort. Every time the Government stated that the legislation is being extended only for a year and that a comprehensive legislation will be

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brought forward. But nothing has been done to bring in a comprehensive legislation. I want to know whether this time also, after the present term expires, that is after the termination of one year, the Government are going to come before the House with another amendment for the extension of time by another year. I hope Government will not come before the House again with such a proposal and I expect the Hon. Minister to give an assurance to that effect. If he can give such assurance I can withdraw my amendment."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Sir, the hon. Member anticipates too much. If he will just look into the implication of his amendment he will see that it defeats the very object he has in mind. Other hon. Members also stated that they are interested in preserving forests of which they say they are really proud. Now, if I accept the amendment it will mean this. As I have already explained, looking at the programme of the Legislature, it will not be possible to take up a new Bill and introduce it before June next. Supposing, if it is not done, what happens? This act will also go. If his amendment is accepted we will be left in the lurch. The forests will be denuded of trees. If the hon. Member wants to achieve his object, it will be good if he gives me time to bring in the comprehensive legislation. It will not be possible to have it done before June next. It may be possible to have it before December."

* SRI T. C. NARAYANAN NAMBIAR :—" In my amendment I have said ' June 1955 '. I want the Hon. Minister to give an assurance to the House that after the completion of this one year, that is, December as suggested by him, a comprehensive legislation would be brought before this House."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Sir, it is, as I said not feasible or probable to have it done before June 1955. I submit it is quite possible, feasible and very probable to have it done before the period mentioned in the Bill."

* SRI T. C. NARAYANAN NAMBIAR :—" Sir, I do not press my amendment."

The amendment was, by leave, withdrawn.

Clause 2 was then put and carried."

Clause 3.

MR. SPEAKER :—" The hon. Member Sri Narayanan Nambiar has given notice of an amendment to this clause. I think it is out of order as the hon. Member wants to reopen a clause in the original Act. Let me hear the hon. Member before I give my ruling."

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* SRI T. C. NARAYANAN NAMBIAR :—“ I gave the amendment in the expectation that the Hon. Speaker would allow it to be moved. My grounds in saying that the amendment is in order, are these. The amendment brought in by the Government seeks the permission of the House to extend the term of the whole Act, the preservation of Private Forests Act, 1949, for a period of one year. Extension does not mean, extension of provisions in clause 1 or 2 alone of the Act.”

MR. SPEAKER :—“ Does it mean that the hon. Member is in order in re-opening the clause in the original Bill? ”

* SRI T. C. NARAYANAN NAMBIAR :—“ My submission is that as the life of the Act is to be extended for one year, automatically every comma, ~~fullstop~~ and semi-colon and all others are extended by one year. Therefore I have got every right to alter, add or modify any of the sub-clauses or clauses as a whole. I therefore request the Hon. Speaker to allow me to move my amendment.”

MR. SPEAKER :—“ It is out of order.

“ Then we have got the amendments of the hon. Member Sri Krishnasamy Ayyangar. Is he moving his amendments? ”

SRI P. S. KRISHNASAMY AYYANGAR :—“ The Government seem to accept the suggestions made by me in my amendments.”

MR. SPEAKER :—“ If the Hon. Minister wants time to consider the matter, I will allow him some time.”

* THE HON. SRI M. A. MANICKAVELU NAICKER :—“ I caught the spirit of the amendments proposed to be moved by the hon. Member, Sir. We are once again thankful to the hon. Member and want to compliment him for taking so much pains in bringing these very useful amendments.”

MR. SPEAKER :—“ The hon. Member has given notice of two amendments. To which one does the Hon. Minister refer to? ”

* THE HON. SRI M. A. MANICKAVELU NAICKER :—“ I have put them in one and I have also given notice of an amendment, Sir. This will be the amendment which will incorporate the two amendments of the hon. Member.

“ Sir, I move the following amendment :—

‘ For the existing sub-clause (2), substitute the following :—

“ (2) Notwithstanding such repeal, anything done or any action taken in the exercise of any power conferred by or under the Madras Preservation of Private Forests Act, 1949 (Madras Act XXVII of 1949) as amended by the said Ordinance shall be deemed to have been done or taken in exercise of the powers conferred by or under the said Act as if this Act were in force on the day on which such thing was done or action taken.” ’ ”

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MR. SPEAKER :—" In view of the Government amendment, is the hon. Member moving his amendment? "

* SRI P. S. KRISHNASAMY AYYANGAR :—" Sir, I want a doubt to be cleared. The last portion of the Government amendment says—

' Under the said Act as if this Act were in force on the day on which such thing was done or action taken.'

Does this Act mentioned here refer to the Act now under consideration or does it refer to the Madras Preservation of Private Forests Act, 1949 as amended by the Act now under consideration? It is not proper if it refers to the Act now under consideration. It should be the Madras Preservation of Private Forests Act, 1949 as amended by the Act now under consideration."

MR. SPEAKER :—" Does the hon. Member mean the original Act? "

* SRI P. S. KRISHNASAMY AYYANGAR :—" Yes, Sir, I mean the original Act."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" The word ' Act ' mentioned here refers to the pertinent Act and there is no doubt about it. The hon. Member need not be worried about it."

MR. SPEAKER :—" Is the hon. Member moving his amendment? "

SRI P. S. KRISHNASAMY AYYANGAR :—" Sir, I am not moving it."

MR. SPEAKER :—" The question is—

' For the existing sub-clause (2), substitute the following :—

" (2) Notwithstanding such repeal, anything done or any action taken in the exercise of any power conferred by or under the Madras Preservation of Private Forests Act, 1949 (Madras Act XXVII of 1949), as amended by the said Ordinance shall be deemed to have been done or taken in exercise of the powers conferred by or under the said Act as if this Act were in force on the day on which such thing was done or action taken.' "

The amendment was put and carried.

Clause 3 as amended was put and carried.

The Preamble and clause 1 were put and carried.

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Sir, I move—

' That the Madras Preservation of Private Forests (Third Amendment) Bill, 1954, be passed into law.' "

MR. SPEAKER :—" Motion moved—

' That the Madras Preservation of Private Forests (Third Amendment) Bill, 1954, be passed into law.' "

[13th December 1954]

* SRI T. C. NARAYANAN NAMBIAR :—“ Sir, what I wanted to raise in my amendment which was unfortunately ruled out of order by the Chair was this issue. The Collector of Malabar has been authorized under the original Act to give permits for felling trees. Permits are given for felling trees and after the forests are cleared, only the barren land remains. What is the purpose in giving this permit and at the same time imposing restrictions on the felling of trees? The purpose of the Act is to preserve forests. But the Collector is empowered under the same Act to give permits for felling forest trees. Now when trees are removed from forests and only vacant land remains, is it not the right of the landholder to give it on lease or sell it to a third party? I think his right should not be restricted. I hope the Government will look into the matter.”

* THE HON. SRI M. A. MANICKAVELU NAICKER :—“ The suggestion will be borne in mind and will be looked into at the appropriate time.”

MR. SPEAKER :—“ The question is—

‘ That the Madras Preservation of Private Forests (Third Amendment) Bill, 1954, be passed into law.’ ”

The motion was put and carried and the Bill was passed into law.

(2) THE MADRAS GENERAL SALES TAX (THIRD AMENDMENT)
BILL, 1954.

* THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Sir, I beg to introduce the Madras General Sales Tax (Third Amendment) Bill, 1954, and move—

‘ That the Bill be taken into consideration at once.’

“ Sir, the House is aware that under the Madras General Sales Tax (Amendment) Act, 1954, the sales tax on certain kinds of cloth has been increased. According to that Act, cloth which is completely made out of cotton is exempted from this additional sales tax. But if it is made out of an admixture of silk or artificial silk or wool, it is not exempted. So, the exemption is only with respect to the cloth made entirely out of cotton. There has been some difficulty about the interpretation and in order to make it clear, I have brought forward this Bill. That is the object of this Bill.”

MR. SPEAKER :—“ Motion moved—

‘ The Madras General Sales Tax (Third Amendment) Bill, 1954, be taken into consideration at once.’ ”

1-17
p.m.

* SRI K. T. RAJU :—“ கனம் சபாநாயகர் அவர்களே, இப்பொழுது கனம் அமைச்சர் அவர்கள் கொண்டுவந்திருக்கும் விற்பனை வரித் திருத்த மசோதாவை நான் எதிர்க்கிறேன்.

* THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Mr. Speaker, Sir, it is too late in the day to go against the stand that was taken by the House as embodied in the General Sales Tax Act . . . ”

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* SRI M. KALYANASUNDRAM :—“ I also wish to speak on this Bill. I was listening to the hon. Member Sri K. Vinayakam and was not attentive when the Hon. Speaker called the Hon. the Minister for Revenue to reply to the debate.”

MR. SPEAKER :—“ If the hon. Member had stood before I called the Hon. Minister to reply to the debate, I would have very gladly allowed him to speak. It will be a very bad precedent to allow an hon. Member to speak after having called the Hon. Minister to reply to the debate.”

* THE HON. SRI M. A. MANICKAVELU NAICKER :—“ When this House passed the legislation increasing the rate of sales tax on certain articles of cloth, it was made clear that cloth made of cotton of particular counts would be exempt from the extra taxation. It was also made clear that cloth made of silk, wool, flax, or any other material not being cotton would not be exempt from taxation. In the working of this legislation certain difficulties have arisen, with regard to exemption from taxation of cloth, 80 or 90 per cent of which is either silk or artificial silk and only 5 or 10 per cent is cotton. In order to clarify the intention of the Government that only cloth made wholly of cotton would be exempt from taxation, this Bill has been brought before the House.”

* SRI S. RAMALINGAM :—“ Sir, on a point of clarification, I wish to know whether cloth 80 or 90 per cent of which is cotton and 5 or 10 per cent is either silk or artificial silk will be exempt from taxation.”

* THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Exemption will apply only to cloth made wholly of cotton, and cloth made in any other combination or proportion will not be exempt from taxation.”

* SRI M. PALANIYANDI :—“ கனம் சபாநாயகர் அவர்களே சாதாரணமாக ஒரு ஏழை ஒரு நல்ல கலர் உடையை உடுத்திக்கொள்ள வேண்டுமென்றால் அவன் சாதாரணமாக பாதி பருத்தியும் மற்றொரு பாதி சிலக்கும் உள்ள கைத்தறி உடையைத்தான் தான் வாங்கிக்கொள்ள விரும்புவான். அப்படிப்பட்ட மட்ட ரகம் உள்ள உடையை உபயோகப் படுத்த வேண்டுமென்றால் சாதாரணமாக அதை அவன் ரூ. 10 அல்லது 15-க்கு வாங்குவான். அவ்விதம் குறைவான விலைக்கு வாங்கி தன் னுடைய ஆசையை நிவர்த்தி செய்துகொள்ள வகை இருக்கும்போது அவனுக்கு வரி போடாமல் இருப்பது நல்லது என்று சொல்லிக்கொள்ளுகிறேன். அவ்விதமே அந்த மாதிரியான ரகமுள்ள உடைகளுக்கு வரி போடாமல் அரசாங்கம் இருக்கவேண்டும் என்று அரசாங்கத்தைக் கேட்டுக் கொண்டு அவைகளுக்கு விலக்கு அளிக்கவேண்டுமென்று கேட்டுக்கொண்டு முடித்துக்கொள்ளுகிறேன்.”

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ I sympathise with the hon. Member for his attraction to the glittering sort of sarees. But I cannot help him. I am only clarifying the principle which has already been accepted.”

* SRI M. KALYANASUNDRAM :—“ கனம் சபாநாயகர் அவர்களே, இதற்கு முன்பாக 17-ம் நம்பர் முதல் 35-ம் நம்பர் வரையிலுள்ள மில் ஜவுளிகளுக்கு ரூபாய் ஒன்றுக்கு 1½ அணை வரி விதிக்க வேண்டு

13th December 1954] [Sri M. Kalyanasundram]

மென்று இந்த சட்டசபையில் மெஜாரிட்டி வோட்டுகளால் ஒரு மசோதா நிறைவேற்றப்பட்டு அதுவும் ஜனாதிபதியின் அனுமதிக்கு அனுப்பப்பட்டிருக்கிறது. அந்த மசோதாவினுடைய தலையெழுத்து என்னவாயிற்று என்று இன்னும் தெரியவில்லை. அதன் தலையெழுத்து என்னவாயிற்று என்று கேட்கிறேன்.”

THE HON. SRI C. SUBRAMANIAM :—“ We have neither received the assent of the President nor has it been refused. Evidently the Government of India are taking into account the views expressed by the hon. Members on the other side and are scrutinizing the Bill.

“ The hon. Deputy Leader of the Opposition suggests that further consideration of the Bill be taken up to-morrow and the Government are agreeable to taking up the Bill to-morrow. I request the Chair to postpone further consideration of the Bill to to-morrow.”

MR. SPEAKER :—“ I have no objection. I will now take up the half-hour debate.”

HALF-HOUR DEBATE ON THE SALE OF CIVIL SUPPLIES
DEPARTMENT LORRIES.

MR. SPEAKER :—“ I will give ten minutes to Sri Vinyakam, 1-30
ten minutes to Sri Kalyanasundram and ten minutes to the Hon. P.M.
Minister.”

SRI K. VINAYAKAM :—“ Sir, I will give two out of my ten minutes to Sri Swayamprakasam.”

SRI T. C. NARAYANAN NAMBIAR :—“ I want two minutes, Sir.”

MR. SPEAKER :—“ I do not think there will be time enough.”

* SRI K. VINAYAKAM :—“ கனம் சபாநாயகர் அவர்களே, அரசாங்கத்திற்குச் சொந்தமான ஒரு சில லாரிகளை தனிப்பட்ட ஒரு நபருக்கு விற்பனைப்பற்றி ஒரு கேள்வி போடப்பட்டது. அந்தக் கேள்விக்குத் தகுந்த படியான பதில் கொடுக்காததால்தான் இந்த அரை மணி நேர விவாதம் கேட்கப்பட்டது. தகுந்த பதில் கொடுக்கப்பட்டிருந்தால் இந்த அரை மணி நேர விவாதத்திற்கு இடம் இருந்திருக்காது. இதன் மூலம் நான் இந்த சபையின் கவனத்திற்கு கொண்டு வர வேண்டிய சில விஷயங்களில் ஒன்று மாத்திரம் முக்கியமானது. முதலில் நான் சொல்லிக்கொள்ள விரும்புவதானது இப்பொழுது காங்கிரஸ் கட்சி அரசாங்கத்தை நடத்துகிறது. காங்கிரஸ் கட்சியைச் சேர்ந்த அவர்கள் அந்த லாரிகளை ஒரு காங்கிரஸ்காரருக்கு விற்கிறார்களா. அவ்விதம் விற்கிறாற்பது ஒரு தப்பான காரியம் என்று சொல்லிக்கொள்ள விரும்புகிறேன். அதுதான் எங்களுடைய அதாவது காங்கிரஸ் அல்லாத கட்சியைச் சேர்ந்தவர்களுடைய எண்ணம். அரசாங்கம் என்றால் அது எல்லா கட்சிகளுக்கும், எல்லா மக்களுக்கும், நன்மை செய்ய வேண்டும். காங்கிரஸ் கட்சி அரசாங்கம் நடத்துகிறது என்றால் காங்கிரஸ் கட்சிக்கு மாத்திரம் சலுகை காட்டுவது என்பது இல்லை. இதை முதலில் அரசாங்கம் ஒத்துக்கொள்ளவேண்டும். இப்பொழுது தாவாவில் இருப்பது அரசாங்கத்தினுடைய சொத்து. அப்படிப்பட்ட அரசாங்க சொத்தை அரசாங்கம் மற்றவர்களுக்கு விற்கவேண்டுமென்றால் அந்த முறை வேறு. அதை எப்படி விற்க வேண்டும், யாருக்கு விற்க வேண்டும் என்பதெற்கெல்லாம் ஒரு தனிப்பட்ட முறை இருக்கிறது. அப்படிப்பட்ட சொத்து ஒரு குண்டியாக இருந்தாலும் அதை விற்பதற்கு முன்பாக அதை

[Sri K. Vinayakam] [13th December 1954]

விற்கப்போகிறோம் என்று விளம்பரம் செய்யவேண்டும். அதை பொது மக்களுக்கு தெரியப்படுத்தாமல் விற்கக்கூடாது. அதை பப்ளிக் சேலாக அதாவது பொதுவாக, பகிரங்கமாக விற்கப்பட வேண்டும். அதற்கு வேண்டிய அட்வர்டைஸ்மெண்ட் செய்திருக்கவேண்டும்.

“இன்னுமொரு முறை இருக்கிறது. அதாவது ‘டெண்டர்’ முறை. அதன் மூலம் வாங்குவதும் விற்பதும் வழக்கமாக இருக்கிறது. அதாவது லாரிகள் இருக்கின்றன, அவைகளை விற்கவேண்டும், யாருக்கு வேண்டும், அதன் விலை இன்னது, அதை வாங்குவதற்கு யாராவது தயாராக இருக்கிறார்களா, வந்து பாருங்கள் என்றெல்லாம் விளம்பரம் செய்து மக்கள் அதை வந்து பார்ப்பதற்கு அவகாசம் அளித்து அவர்கள் வந்து பார்க்கும் படியான ஏற்பாடு செய்திருக்கவேண்டும். எள்கு முறையை இந்த லாரி விஷயத்தில் கையாளவில்லை. எல்லா விஷயங்களும் உறுதியாக தெரியாது. சிவில் சப்ளைஸ் டிபார்ட்மெண்டில் அதிகப்படியாக இருக்கும் லாரிகளை விற்க வேண்டும் என்று அரசாங்கம் கருதிற்று. மக்களுக்கு அவைகளை வாங்குவதற்கு வாய்ப்புக் கொடுத்திருக்கவேண்டும். அப்படிக் கொடுக்கப்பட்டதாக எங்களுக்குத் தெரியவில்லை. ஆனால் அவைகளை யாருக்கு விற்பார்கள் என்பதைப் பார்க்கவேண்டும். காங்கிரஸ் கட்சிக்காரராகிய கோயங்காவிற்கு விற்பதாக கேள்விப்படுகிறோம். அவர் யாருடைய கட்சியைச் சேர்ந்தவர், அவருக்கு விற்பது நியாயமா அல்லது தப்பா என்பதையெல்லாம் பார்க்க வேண்டும். அவர் அரசாங்கக் கட்சியைச் சேர்ந்தவர்தான். காங்கிரஸ் பொது மக்களுக்கு நல்ல பணியைச் செய்திருக்கிறது என்பது எங்களுக்கு நன்றாகத் தெரியும். அதைப்பற்றி குறை கூற நாங்கள் தயாராக இல்லை. குறை கூறுவதற்கும் நாங்கள் முன்வரவில்லை. காங்கிரஸ் கட்சியைச் சேர்ந்த கோயங்கா எதற்காக இவைகளை வாங்கியிருக்கிறார்கள் என்பதை சிந்திக்க வேண்டும். அதனால்தான் எங்களுக்கு மனசுப்படி ஏற்படுகிறது. ஆவடியில் காங்கிரஸ் மகாசபை கூடப்போகிறது. அதற்கு பயன்படுவதற்காக வாங்கப்பட்டதாகவும் சொல்லப்படுகிறது. அந்த வரவேற்பு கமிட்டியின் தலைவர் யார், ஆர்கனைசர் யார் என்பதெல்லாம் இன்னும் தெரியாமலிருக்கும்போது இந்த லாரிகளை அவருக்கு விற்கவேண்டிய அவசியமென்ன. யாரோ ஒருவரை அந்தக் கமிட்டியின் ஆர்கனைசர் என்று வைத்து அவருக்குத் தந்ததாகச் சொல்லுகிறார்கள். ஆனால் எங்களுக்குத் தெரியும். விற்பனை செய்து ‘காஷ் பில்’ ஒரு தனிப்பட்ட மனிதரின் பெயருக்குப் போடப்பட்டிருக்கிறது. அவருக்கே விற்பதாகப் போடப்பட்டிருக்கிறது. அவரும் பணத்தை காங்கிரஸ் ‘ரிசெப்ஷன் கமிட்டி’ நிதியிலிருந்து கொடுக்கவில்லை, தன்னுடைய சொந்த கரண்டு அக்கௌண்டிலிருந்தே கொடுத்திருக்கிறார் என்று நாங்கள் கேள்விப்படுகிறோம். ஒரு தனி மனிதருக்கு அரசாங்கம் இப்படிப்பட்ட சலுகையைத் தரலாமா? திருவாளர் கோயங்காவை குறைத்துப் பேசவேண்டுமென்பது அல்ல என்னோக்கம். இன்றைக்குத் திருவாளர் கோயங்காவுக்கு, நாளைக்கு திருவாளர் கல்யாணசுந்தரத்திற்கே விற்பதற்குத்தான் கூட அப்படி விற்பது தப்பு என்றேதான் நான் சொல்வேன். அரசாங்கத்தின் சொத்தை விற்பதற்கு ஒரு முறை உண்டு. அந்த முறைப்படி இவைகள் விற்கப்பட்டனவா என்பதை என்னுடைய கேள்வி. அப்படி அவர்கள் விற்கவில்லை, எந்த விதிப்படி அவர்கள் விற்பனை செய்யவேண்டுமோ அந்த விதிப்படி அவர்கள் விற்பனை செய்யவில்லை. அதுதான் தவறு என்பதை என்னுடைய அபிப்பிராயம். நான் அதை விளக்கத்தான் முதலில் விரும்புகிறேன்.

“இரண்டாவது எத்தனை லாரிகள் விற்கப்பட்டிருக்கின்றன என்பது பற்றி இன்னும் சரியாகத் தெளிவுபடவில்லை. 18 லாரிகள் விற்கப்பட்டிருக்கின்றன என்று நாங்கள் கேள்விப்படுகிறோம். ஆனால் நான்கு லாரிகள் தான் ஆவடி காங்கிரஸ் மகாசபைக் கூட்டத்திற்கு வசதி செய்து கொடுக்க வேண்டுமென்பதற்காக அதன் ஆர்கனைசிங் கமிட்டிக்கு விற்கப்பட்டிருப்பதாக கனம் அமைச்சர் அவர்கள் நேற்றையதினம் சொன்னார். நானு லாரிகளுக்கு மேல் விற்கப்படவில்லையென்று மறுத்தால் சந்தோஷப்படுகிறேன். நாங்கள் கேள்விப்படுவது நான்கு லாரிகள் மாத்திரம் விற்கப்படவில்லை என்று ஆனால் 18 லாரிகள் விற்கப்படாமலிருக்கலாம். நிச்சயமாக

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நான்கு லாரிகளுக்கு மேல் விற்கப்பட்டிருக்கின்றன என்று தெரியும், ஆகவே எத்தனை லாரிகள் விற்கப்பட்டன என்று கனம் மந்திரி அவர்கள் சொல்ல வேண்டும்.

“கனம் மந்திரி அவர்கள் பேசும்போது அந்த லாரிகளுக்கு, ‘book value nil’ என்று போட்டிருப்பதாகச் சொன்னார்கள். ‘nil’ என்று போட்டிருக்கக் கூடியவற்றை 3 ரூபாய்க்கு விற்கலும் சர்க்காருக்கு லாபம்தான். ஒரு ரூபாய்க்கு விற்கலும் சர்க்காருக்கு லாபம் தான். ஆகவே லாரி ஒன்றுக்கு நாலாயிரம் ரூபாய் கிடைத்ததே என்னும் முறையில் அமைச்சர் அவர்கள் சந்தோஷப்படுகிறார். அத்தோடு நாலாயிரம் ரூபாய்க்கு மேல் யாராவது பணம் கொடுக்கத் தயாராக இருந்தால் அதை அவர்களுக்கு விற்கத் தயாராக இருப்பதாகவும் சொல்லுகிறார்கள். இப்படிச் சொல்வதன் மூலம் அந்த லாரிகள் ஓட்டை லாரிகள் என்று சொல்வது நியாயமல்ல. நாலாயிரம் ரூபாய்க்கு மேல் யாராவது கூடக்கொடுக்கத் தயாராக இருந்தால் அந்த லாரிகளைக் கொடுக்கிறோம் என்று சொல்வதும் பயித்தியக்காரத்தனம். இந்த சபையில் சொல்லக்கூடிய பொறுப்புள்ள பதிலும் அல்ல.

“லாரிகளை விற்பதற்கு முன்னேயே அந்த லாரிகளை பழுது பார்த்து போனவற்றை, வந்தவற்றையெல்லாம் செப்பிட்டு புது டயர்கள் போட்டு விற்ப்பதற்குள்ளே என் அறிகிறேன். ஆகவே நிச்சயமாக ஒரு லாரி 20,000 ரூபாய்க்கு மேல் மதிப்புடையதாக இருந்திருக்க முடியும். ஆனால் நான்கு லாரிகளையும் இருபதாயிரம் ரூபாய்க்கு விற்பது பெரிய லாபமென்று கருதுவது கொஞ்சம் கூட சரியானது ஆகாது.”

THE HON. SRI C. SUBRAMANIAM :—“Sir, without further arguments, I make an offer to the hon. Member that if he brings anybody to pay for the lorries Rs. 20,000 each, I will see that the lorries are transferred. Even now I give him that offer. Even if he is prepared to pay Rs. 10,000 each, I am prepared to make that offer.”

* **SRI K. VINAYAKAM :—**“கனம் சபாநாயகர் அவர்களே, கனம் மந்திரி அவர்களிடம் ஒரு விளக்கம் கேட்கிறேன். ஏற்கெனவே எந்த லாரிகளை திருவாளர் கோயங்காவுக்கு விற்குங்களோ அதே லாரிகளை முந்தைய விற்பனையை ரத்து செய்துவிட்டு விற்கத் தயாராக இருந்தால் நான் லாரி ஒன்றுக்கு பத்தாயிரம் ரூபாய் வாங்கித்தரத் தயாராக இருக்கிறேன். அதே லாரிகளை விற்பதாகச் சொன்னால் போதும். அதற்குத் தக்க பேர்களையும் நான் கொண்டுவரத்தயாராக இருக்கிறேன். அம்மாதிரி தாங்கள் விற்பது தவறு என்பதைப் புரிந்து கொண்ட பிறகும், தாங்கள் செய்த தவறை தவறு என்று ஒப்புக்கொள்ளாது தங்கள் தவறை மறைக்க தங்கள் தப்பைத் திருத்திக்கொள்ளாது அதிலிருந்து சமாளிக்க இப்படியெல்லாம் பதில் சொல்வதை இந்த அரசாங்கத்திடமிருந்து தான் கேட்கிறேன்.”

* **THE HON. SRI C. SUBRAMANIAM :—**“Well, I will answer that. Since the hon. Member has stated that, I said, ‘bring any purchaser who will pay at least Rs. 10,000 for each lorry and I am prepared to transfer the sale’.”

DR. K. B. MENON :—“Sir, is this a market place where business transaction can be satisfactorily effected, and can hon. Members do that here?”

THE HON. SRI C. SUBRAMANIAM :—“Unfortunately, it is a business transaction we are discussing now. (Clapping from Communist members.) Hon. Members need not clap before knowing facts.”

[13th December 1954]

* **SRI K. VINAYAKAM** :—“மேலும் அந்த லாரிகளுக்கு ஏற்கெனவே மதிப்புப் போடப்பட்டிருப்பதாகக் கேள்விப்பட்டோம். இதற்கு முன் பிறந்த அரசாங்கத்தில் ஸ்ரீ ராஜகோபாலாச்சாரி முதல் மந்திரியாக இருந்த காலத்தில் இந்த லாரிகளை விற்கவேண்டுமென்ற யோசனை எழுந்தது. இன்றைக்கு லாரிகளுக்கு மார்க்கெட் விலை என்னவென்று மதிப்புப் போட அதிகாரிகளே அன்றைக்கும் அந்த லாரிகளுக்கு மதிப்புப் போட்டார்கள். ஒரு லாரியின் மதிப்பு ஒன்பதாயிரம் என்று கொடுத்திருக்கிறார்கள். ஒன்பதாயிரம் கொடுத்து யாரும் வாங்கவில்லை. அப்பொழுது இருந்த அரசாங்கமும் அதற்குக் குறைத்து விற்க முன்வரவில்லை. ஆனால் அன்றைக்கு ஒன்பதாயிரம் மதிப்புப் போட்ட லாரிகளையே இன்றைக்கு நாலாயிரம் ரூபாய்க்கு விற்ப்புக்கு விற்ப்பு. அன்றைக்கு காலத்தில் ஒன்பதாயிரத்திற்குக் குறைத்து விற்க மறுத்த அரசாங்கம் இன்றைக்கு ஆட்சி பீடத்திலே ஆள் மாறியவுடன் யாருக்கும் தெரியாமலேயே நாலாயிரம் ரூபாய்க்கு விற்கவேண்டிய காரணம் என்னவென்பது தான் விஷயம்.

“ஆதலாலே மறுபடியும் கடைசியில் நான் வற்புறுத்திச் சொல்ல விரும்புவது இதுதான். பொதுவாக இன்றைக்கு அரசாங்கத்தின் சொத்து மக்களின் சொத்து. ஆகவே மக்களின் சொத்தை எடுத்துத் தன் இஷ்டப்படி துர்வினியோகம் செய்யவோ அல்லது தங்கள் கட்சிக்குச் சலுகை தேடிக் கொள்ளவோ செலவிடுவது மிகவும் கண்டிக்கத்தக்க விஷயமாகும். ஆவடி காங்கிரஸ் மகாநாட்டுக்காக என்று சொல்லி அந்த மகாநாட்டு ஆர்கனைசிங் கமிட்டியாருக்கு விற்பதாகவே இருந்தாலும் கூட அரசாங்கம் பொதுமக்களின் சொத்தை எடுத்து விற்ப முறை சரியானது ஆகாது. இது அநியாயம் என்றே சொல்ல விரும்புகிறேன். இன்ன கட்சிக்குச் சலுகை காட்டக் கூடாது என்பதற்காகச் சொல்லவில்லை அல்லது இதைப் போன்றே இதர கட்சிகளுக்கும் சலுகை கொடுக்க வேண்டுமென்பதற்காகவும் இதைச் சொல்லவில்லை. மற்ற கட்சிக்காரர்கள் இதுமாதிரியான சலுகையைக் கேட்டாலும் அல்லது அவர்களுக்கு நீங்கள் கொடுத்தாலும் தவறே. அது மிக வன்மையாகக் கண்டிக்கவேண்டிய விஷயமும் ஆகும்.

“ஆகவே தான் அரசாங்கத்தின் சொத்தை எடுத்து இப்பொழுது காங்கிரஸ் கட்சியின் நலனுக்காக விற்ப்பும்தான் தவறு, அநியாயமானது என்று நான் கண்டிக்க விரும்புகிறேன். காங்கிரஸ் மகாநாடு நடக்கப் போகிறது, அதற்காக ரோடுகளைச் செப்பனிடவேண்டுமென்ற எண்ணத்தில் அரசாங்கத்தின் பணத்தை எடுத்து மக்களுக்கு ரோடுகள் போடுவது போலச் சொல்லி கட்சியின் நலனுக்காக உபயோகப்படுத்துவதும் அநியாயம் என்று சொல்ல விரும்புகிறேன்.”

MR. SPEAKER :—“The hon. Member's time is up.”

(Mr. Speaker sounded the gong and as the Member was proceeding with his speech, switched off the mike and called on Sri Swayamprakasam to speak.)

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* **SRI S. SWAYAMPRAKASAM** :—“Mr. Speaker, Sir, I request the House to view the whole thing objectively. Now it is not a question whether the Congress Government has made a profit or loss. That is outside the consideration. The points at issue here are whether what the Government has done is in the regular course of business, is expected of a popular Government, etc. Here we have got a Government run by the Congress Party; then its parent organization is having its Conference at Avadi and the lorries have been sold to the Congress Organization and the other party somehow or other involved in this is a business man, Mr. Goenka. When a party is running the Government, we have to consider

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whether it is open to them (the party men in Government) to take advantage of that position and whether it is too much for any man to think that the Government are making it look as if there is no book value and then they have granted the vehicles to the organization to which they owe their position. Viewed in that light, the whole thing looks irregular. Caesar's wife must be above suspicion and in that view, when the Government do a transaction with the organization to which they owe their position, they should have done the whole business in a public auction. So, I say whatever it is they have done, it cannot be justified. It is convenient for the Hon. Minister to say that there is no book value for these lorries. After all who is preparing that value? It is the Government itself and who can verify its correctness whether the lorries have a market value or not? They themselves prepare a document which shows that the book value is 'nil' and on that basis the Hon. Minister said the other day that they had sold these lorries for Rs. 4,000 or Rs. 5,000 and made a profit out of it. Even if there is loss, we are prepared for it, provided they are sold in public auction. It should be the proper attitude for the Government to take."

* **SRI K. T. RAJU** :—“கனம் சபாநாயகர் அவர்களே, கிராமங்களிலே காற்று மழை அடித்து மரம் விழுந்துவிட்டால் அதை எட்டணவுக்கு எலம் போட்டு விற்றுவிடுவார்கள். தண்டோரா அடித்து மணியக்காரர், கணக்குப் பிள்ளை, ரெவினியூ இன்ஸ்பெக்டர் எல்லோருக்கும் முன்னிலையில் கையெழுத்து வாங்கி அதற்குப் பிறகு எட்டணவை வாங்கிக்கொள்வார்கள். இந்த எட்டண விலைத்திற்கு ஐந்து ரூபாய் வரையில் கூட செலவு செய்வார்கள். அப்படியானால், இவ்வளவு விலை பெறக்கூடிய சர்க்காருக்குச் சொந்தமான இந்த லாரியை இப்படி விற்றது நியாயமா என்பதை நாம் சிந்தித்துப் பார்க்கவேண்டும். இந்த ராஜ்யத்தை நிர்வகிக்கக்கூடிய சர்க்காரே இப்படிச் செய்தால் கிராம முன்சீபு, தாசில்தார், ரெவினியூ இன்ஸ்பெக்டர் போன்றவர்கள் ஆயிரம் இரண்டாயிரம் ரூபாய் பெறுமான சாமான்களைக்கூட தண்டோரா போடாமலேயே இஷ்டம்போல் விற்கமுடியும். அவர்கள் அப்படிச் செய்யக்கூடிய அளவுக்கு இந்தச் சர்க்கார் வழிகாட்டியாக இருக்கிறது, இந்த லாரி விற்கப்பட்ட சம்பவத்தினால். ஆகையால், அடிப்படையிலேயே பார்த்தால் இது நியாயத்திற்கு விரோதம், சர்க்காருடைய கொள்கைக்கும் விரோதம். ஆகையால்தான் இதைச் சொல்கிறேனேதவிர வேறு எதற்காகவும் அல்ல. காங்கிரஸ் சர்க்கார் லாரியை விற்று விட்டார்கள், யாருக்கு ? ஸ்ரீ ராமனாத கோயங்காவாக்கு. சாதாரணமானவர் அல்ல அவர். சர்க்கார் விற்கும்போது யோசனை செய்திருக்கவேண்டும். சாதாரண காங்கிரஸ்காரர் ஒருவருக்கு இதை வற்றிருந்தாலுங்கூட தப்பிப்பி ராயம் வரக் காரணமில்லை. ஆவடி காங்கிரஸ் நடத்துவது சம்பந்தமான லாரியை காங்கிரஸ் கட்சிக்கு வற்றிருந்தாலுங்கூட பரவாயில்லை. ஸ்ரீ ராமனாத கோயங்கா இதை அவருடைய பேரர் நடத்தும் இடத்திற்குக் கொண்டுவரவில்லை. ஆவடி காங்கிரஸ் முடிந்த பிறகு அது காங்கிரசுக்கு இருக்காது. ஸ்ரீ ராமனாத கோயங்கா பேரில் விற்கப்பட்டிருக்கிற காரணத்தால் அவர் கொண்டுவராய் அதை உபயோகப்படுத்திக்கொள்வார். ஆகையால், இதை கவனிக்கவேண்டும். கிராமத்திலுள்ள ஒரு மரம் விழுந்துவிட்டால் அது எட்டணவுக்குப்போனாலும், அதற்கென ஒரு நடைமுறை இருக்கும்போது, ஆயிரக்கணக்கான ரூபாய் மதிப்புள்ள சொத்துக்களை இவ்விதமாக வற்றிருப்பது தவறுனது என்பதை நாங்கள் கண்டிக்கிறோம். சர்க்காருடைய சொத்து இந்த மாதிரி போவதை உண்மையில் இந்தச் சபை கண்டிக்கவேண்டுமென்று கேட்டுக்கொள்கிறேன். நீங்கள் இதில் கொஞ்சம் கவனம் செலுத்தவேண்டுமென்று நான் கேட்டுக் கொள்ளுகின்றேன்.”

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MR. SPEAKER:—“The hon. Member is not right in dragging the Chair in this affair.

“நான் எப்படி கவனம் செலுத்தமுடியும் ?”

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*** SRI M. KALYANASUNDRAM :**—“கனம் சபாநாயகர் அவர்களே, இந்த அவசரக்கேள்வியை நான் கொடுத்ததன் காரணமே, சென்னை நகரத்தில் இந்தப் பிரச்சனை சம்பந்தமாக விஷயமறிந்த வட்டாரங்களில் இருந்துப் பரபரப்புதான். அதைப்பற்றி பலவிதமான வாதங்களும் அபிப்பிராயங்களும் இருந்தன. பத்திரிகைகள் கொடுத்திருக்கக்கூடிய முக்கியத்துவத்தைப் பார்த்தாலும் இது எவ்வளவு முக்கியமான பிரச்சனை என்பதைப் புரிந்துகொள்ளலாம்.

“லாரிகள் விற்கப்பட்டது ஸ்ரீ ராமனாத கோயங்காவூக்கா காங்கிரசுக்கா என்று இப்பொழுது நான் விவாதித்தால் நான் அவ்வளவு புத்திசாலி அல்ல என்கிற நிலைமை ஏற்படும். இவ்வளவு முக்கியமான பிரச்சனை ஏற்பட்ட பிறகு இனி ஸ்ரீ ராமனாத கோயங்காவும் அவ்வளவு பயித்தியக் காரர் அல்ல. தனக்காக எடுத்திருந்தாலுங்கூட இனி காங்கிரஸ் கமிட்டிக்கே கொடுத்துவிடுவார்கள், அல்லது சர்க்காருக்கேகூட திருப்பிக்கொடுத்து விடுவார்கள். இனி அந்தப் பிரச்சனையை விவாதிப்பது அவசியம் இல்லை என்று கருதுகிறேன்.

“ஆனால், ஒரு விஷயம் இருப்பது உண்மை. சர்க்கார் வழிமுறைக்கு மாறாக இந்த லாரிகளை ஒரு நபருக்கு—காங்கிரசுக்கு சேவைசெய்வதற்கே இருந்த போதிலுங்கூட—கொடுத்திருப்பது மிக அனுமதிக்க முடியாத தவறு. அதற்கு அவசியம் இல்லை என்பது என்னுடைய அபிப்பிராயம்.

“மேலும், காங்கிரசுக்கே சேவை செய்வதற்காக இருந்தாலுங்கூட அரசியல் கட்சிகள் சர்க்காருடைய பணத்திலிருந்து எந்த விதமான வசதிகளும் பெறுவது சரியல்ல என்பது என்னுடைய அபிப்பிராயம். ஆளும் கட்சியாக இருந்தாலும் சரி, எதிர்க்கட்சியாக இருந்தாலும் சரி, நம்முடைய நாட்டிலே கட்சிகள் தான் ஆளக்கூடிய நிலைமை இருக்கிறது. எந்தக் கட்சியின் பொருப்பிலும் இல்லாமல், ஜனங்களே பொருப்பாக இருப்பதானால் நிலைமை வேறுகயிருக்கிறது. கட்சியின் பேரால் வோட்டு பெற்று நாம் மெஜாரிட்டியாகிவிட்டால், யார் வேண்டுமானாலும் அதிகாரத்திற்கு வந்துவிடலாம் என்கிற நிலைமை இருக்கிறது. ஆகவே, இந்த மாதிரி கட்சி அரசியல் பொருப்பில் இருக்கிறபோது கட்சித் தலைவருக்கு மிகுந்த பொருப்பு இருக்கிறது. அதை உணர்ந்து நடக்கவேண்டும். கட்சித் தலைவர் என்ற அந்தஸ்து வேறு, மந்திரி என்ற அந்தஸ்து வேறு அல்ல. மந்திரிகளாக இருக்கக்கூடியவர்கள் காங்கிரஸ் தலைவர்களாக இருக்கிறார்கள். மந்திரிகள் சுற்றுப் பிரயாணம் செய்யும்போது காங்கிரஸ் கட்சிப் பிரசாரத்தையும் சேர்த்துச் செய்கிறார்கள். அதுவே சர்க்காரிலிருந்து செலவழிப்பது அதற்கு போதுமான ‘சப்லிடி’ யாகும், என்பது என்னுடைய அபிப்பிராயம். இதை கனம் மந்திரி அவர்கள் ஒத்துக்கொள்வார்களோ இல்லையோ. கனம் முதல் மந்திரி அவர்கள் சுற்றுப்பிரயாணம் செய்யும்போது எந்த அளவு நிர்வாக வேலை இருக்கும் என்பது எனக்கு சந்தேகமாக இருக்கிறது. காங்கிரஸ் கட்சிப் பிரசாரத்திற்காகத்தான் என்பது என்னுடைய அபிப்பிராயம். அதுவே போதுமான ‘சப்லிடி’ யாகும். அதற்கு மேல் சர்க்கார் பொருள்களையும் வேறு கட்சிக்காக உபயோகிக்க வேண்டுமா ?

“காங்கிரஸ் மகாநாடு கூடுவதில் பல லட்சக்கணக்கான ஜனங்கள் வருவார்கள் என்பது உண்மை. அவர்களுக்கு வேண்டிய வசதிகள் செய்ய வேண்டும் என்கிற அவசியத்தையும் நான் உணராமல் இல்லை. ஆனால், அதன் பேரால், மக்களுக்கு செளகரியம் செய்யவேண்டுமென்ற பேரால், காங்கிரசுக்கு வசதி செய்யவேண்டுமென்ற பேரால், செலவழிக்கக்கூடிய இனமெல்லாம் காங்கிரஸ் சேவை செய்வதற்கு ‘ஒரு சப்லிடி’ யாக ஆய்விடக்கூடாது என்பதைத்தான் நான் இந்தச் சபையின் கவனத்திற்குக் கொண்டுவர விரும்புகிறேன்.

13th December 1954] [Sri M. Kalyanasundram]

“ஆவடி காங்கிரசுக்காக ரோடு போடுவது, இன்னும் அதுசம்பந்தமான மற்ற வசதிகளைப்பற்றி பேசுகிறபோது, அதிலும் சர்க்கார் கொஞ்சம் அக்கறை செலுத்தினால் பரவாயில்லை என்று நினைக்கிறேன். வெகு அவசரமாக காங்கிரசுக்காக வசதிகள் வேண்டும் என்று இந்த ரோடுகள் புதிப்பிக்கப்படுகின்றன. அதற்காக அவசரம் அவசரமாக நிதி ஒதுக்க வேலை செய்வதைப்பார்த்தால், இது சர்க்கார்க் கட்சிக்காக நடைபெறுகிறதா அல்லது மந்திரிகள் தாங்கள் அங்கு போகவேண்டுமே என்பதற்காக நடைபெறுகிறதா என்பதை நாம் யோசனை செய்யவேண்டும். ஜனங்களுக்காக ரோடு எப்போதுமே தேவைதான். அந்த ரோடுகள் ஜனங்களுக்குப் பிரயோஜனப்படும், அவர்கள் அந்த ரோடுகளினால் பலனடைவார்கள். இப்பொழுது அவசரம் அவசரமாக ரோடுகள் போடப்படுவதைப்பற்றிய செய்திகளைப் பார்த்தால் காங்கிரஸ் கட்சியினுடைய மகாநாட்டுக்காகத்தான் இவ்வளவு அவசரமாகக் காரியங்கள் நடைபெறுகின்றன என்று நினைக்கவேண்டியிருக்கிறது. இல்லாவிட்டால் இவ்வளவு அவசரமாகச் செய்ய வேண்டிய அவசியம் என்ன? இது முறையாக இருக்குமா என்பதை சர்க்கார் சிந்தித்துப் பார்த்து இம்மாதிரி குற்றச்சாட்டுகளுக்கு இடம் வைத்துக் கொள்ளக் கூடாது என்று தெரிவித்துக்கொள்ள விரும்புகிறேன்.

“காங்கிரசுக்கு சேவை செய்வதற்காக தொண்டர் படை திரட்டுவதில் ஒரு அநீதி நடப்பதையும் நான் சர்க்காருடைய கவனத்திற்குக் கொண்டுவர விரும்புகிறேன்.”

THE HON. SRI C. SUBRAMANIAM :—“Sir, I thought we were discussing the disposal of the lorries. The hon. Member is raising very many other points which I will not be in a position to answer. He has given notice of a question and I am addressing the concerned departments for details. I would request the hon. Deputy Leader of the Opposition not to refer to other subjects which I will not be able to answer just at present.”

*SRI M. KALYANASUNDRAM :—“கனம் சபாநாயகர் அவர்களே, நேற்று கனம் நிதி மந்திரி அவர்கள் கொடுத்த பதிலிலிருந்து என்னுடைய அவசரக் கேள்வி அனுமதிக்கப்படவில்லை என்ற எண்ணம் எனக்கு ஏற்பட்டது. ஆகவேதான், இந்த சந்தர்ப்பத்தைப் பயன்படுத்திக் கொள்ளலாம் என்று நினைத்தேன். கனம் மந்திரி அவர்கள் பதில் சொல்ல வேண்டுமென்று நான் எதிர்பார்க்கவில்லை. இதைச் சொல்வதற்கு சந்தர்ப்பம் கிடைக்கவேண்டுமென்று நினைத்துத்தான் நான் இப்பொழுது இதைப்பற்றி சொல்கிறேன். அந்தக் கேள்வி அனுமதிக்கப்படுவதாக இருந்தால் நான் இப்பொழுது பிரஸ்தாபிக்க விரும்பவில்லை.”

THE HON. SRI C. SUBRAMANIAM :—“Even supposing the hon. Member's short notice question is not admitted, he is not right in raising it here.”

*SRI M. KALYANASUNDRAM :—“கனம் சபாநாயகர் அவர்கள், இந்த லாரி விற்பனை நடந்தது முறையா என்பதைப்பற்றி யோசிக்கவேண்டும். ரூ. 10,000 யாராவது சபையிலுள்ள அங்கத்தினர் தேடிக் கொடுக்க முடியுமா என்று சொல்வது சுலபமான வேலை. விணை மடக்குவதற்கு வேண்டுமானால் சொல்லலாமேயொழிய, இந்த மாதிரி குற்றச்சாட்டுகள் சொல்லக் கூடாது. Third decree method ஆகவும், பயமுறுத்தல் செய்யக் கூடிய முறையாகவும் இருக்கிறதே தவிர வேறு அல்ல. இதைக்கண்டு நாங்கள் பயப்படப்போவதும் இல்லை. இருந்தாலும் எனக்கு நிச்சயம் தெரியும். இப்பொழுது வற்றிருப்பதைவிட அவர்கள் மார்க்கெட்டில் வற்றி ருந்தால் அந்த லாரிகளுக்கு அதிகமான விலை கிடைத்திருக்கும் என்பது எங்களுக்குக் கிடைத்திருக்கக்கூடிய விவரங்களிலிருந்து தெரிகிறது.

[Sri M. Kalyanasundram] [13th December 1954]

ஆகையால், எதிர்க்கட்சியினர் கொண்டுவந்தார்கள் என்றும் கட்சிப் பிரசாரத் திற்காக என்றும் எண்ணாமல் இதைப்பற்றி சர்க்கார் பரிசீலனை செய்து தக்க நடவடிக்கை எடுக்கவேண்டுமென்று கேட்டுக்கொள்கிறேன்.”

SRI T. C. NARAYANAN NAMBIAR :—“ Sir, may I rise on a point of information?”

MR. SPEAKER :—“ The Hon. Minister is already on his legs.”

THE HON. SRI C. SUBRAMANIAM :—“ Mr. Speaker, Sir, the hon. Member Sri Vinayakam raised his first point and asked: ‘To whom have these been sold, whether to a private individual or to the Congress Organization?’. Even though ultimately, the merits of the case may not depend upon whether it has been sold to an individual or to the Congress, still in considering this question we have to take that into account since an allegation has been made that an individual has been given an advantage to purchase Government lorries. Therefore, I have to make that point quite clear. Further, I have to do that since this has attracted a certain amount of attention in this House and also since certain papers have taken advantage of this for giving stream-line headlines to this matter. I have scrutinized the connected papers very carefully to find out the actual facts of this case. I may assure hon. Members that these lorries were not transferred to a particular individual for his own benefit. It is wrong to say that either Mr. Goenka or any other private individual wants to make any benefit out of this. As far as the transfer itself is concerned, it has been done to the Congress Organization vis-a-vis the Reception Committee which is in charge of conducting the Congress Session at Avadi. Therefore, any suggestion that the Government wanted to prefer any individual or for that matter that any particular individual wanted to get some benefit out of it is an insinuation which I deprecate with all the contempt it deserves. There is absolutely no basis for that suggestion. And the hon. the Deputy Leader of the Opposition sought to say that now Mr. Goenka would not accept it as a transaction to himself nor the Government would allow it to stand. I have got all the connected records and there is no warrant to say anything wrong about the transaction. When this transaction took place in October last, it has been definitely stated that it is sold to Mr. Goenka as the Organizer of the Reception Committee of the Avadi Session of the Congress and the entire file deals with the matter on that basis. Therefore, there is no question of any particular individual getting an advantage or the Government preferring any particular individual for this transaction. I would disabuse the minds of hon. Members and certain other persons outside also who have taken advantage of this opportunity to sling mud on somebody by saying that an individual has been allowed to take advantage of this transaction for the purpose of his own benefit. There is absolutely no such thing.

“ Then the questions arise: How the transaction was put through, how the price was fixed and whether Government have incurred any loss or likely to incur any loss in this matter. The

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question was also raised how the book value can be nil and how it was arrived at. Sir, the point is this. These lorries were purchased in the year 1946-47 for the use of Civil Supplies Transport Department. Depreciation is allowed on a certain basis from year to year as in the case of every other machinery. Moneys from the earnings of this Department are taken out for the purpose of building Depreciation Reserve Fund and we go on adding to this Reserve Fund and when we have taken out funds equal to the value of the lorries from it then technically the book value becomes nil. This was arrived at in respect of these lorries on the 1st April 1953 when the entire value of the lorries had been made up by the Depreciation Reserve Fund. Therefore, on that date, the value became nil. That does not mean these lorries have no market value. But as far as the Government are concerned, they have taken out of these lorries as much as they could and therefore technically they have enjoyed the full value of these lorries. But that does not mean they have no value in the market.

“ We have got a system by which the Transport Commissioner is empowered to fix a market value for these lorries for further disposal, if the Department does not want them. In this case, these lorries became surplus, because controls had been removed and these lorries were not required by the Civil Supplies Transport Department. Therefore, these lorries had to be disposed of and we had asked the Transport Commissioner soon after decontrol to fix the market value of these lorries and he did so, with reference to market value then prevailing. Thus, four lorries have been involved in this particular transaction and they are MSP 3438, MSP 3349, MSP 3514 and MSP 3431 and these vehicles have been valued by the Transport Commissioner at Rs. 4,500, Rs. 4,800, Rs. 5,200 and Rs. 5,000 respectively, totalling in all to Rs. 19,500. The question then arose at what price these could be disposed of. At the same time, the Corporation also wanted a few out of the surplus lorries but they were not prepared to take all the lorries even at the assessed market value and, therefore, when the question of disposal came up, the concerned Department asked, even though the Corporation were not prepared to offer the assessed market value, at what price the Reception Committee were prepared to take over. They offered Rs. 22,000 that is Rs. 2,500 over and above the market value assessed, leaving the average value at Rs. 5,500 and not Rs. 4,000 as hon. Members wanted to put it. I have scrutinized the entire records and also the subsequent disposals of the other vehicles and I have absolutely no doubt in my mind that no loss has been incurred in this transaction.

“ I did not stop with that. I wanted to find out how they were being worked at Avadi and how they were being utilized. I may assure hon. Members that soon after the Reception Committee purchased, two lorries broke down and on these lorries they had to spend another Rs. 4,000 for the purpose of making them road-worthy. Therefore, there is no question of any loss having been incurred by the Government in this transaction.

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“ Now that the hon. Member Sri Vinayakam has said that these lorries are worth about Rs. 20,000 each, I may inform the **hon. Members that the new lorries were purchased when the price was at peak levels in 1947 soon after the War, for Rs. 12,000 each.** Of course, it is easy to say that it would cost Rs. 20,000 (Sri Vinayakam was seen laughing.) The hon. Member may laugh at the colossal figure put by him but the fact is this. Even the new lorries were purchased seven years back for Rs. 12,300 each **to be accurate and therefore there is no question of these lorries being valued now at Rs. 20,000 each or even at Rs. 10,000 each.** What the Transport Commissioner fixed was the market value with reference to the prevailing market rates at that time. Sri Vinayakam again took advantage of this opportunity to say that not only four lorries but some more have been sold, of course, for fishing out information from me. I may assure the hon. Member that apart from these four lorries, no other lorries have been sold to the Reception Committee and the hon. Member may also rest assured that no lorries have been sold to any particular person.

“ Then, Sir, the question arises whether there has not been an irregularity in the sale of these vehicles. Apart from other questions of merits of the case, I have absolutely no doubt that the Government have not only not lost anything, but on the other hand—my own view is that—they have also got a little more than what we are entitled to get. We should not only do justice, but we should appear to do justice and in that view, I agree that we **could have been a little more careful in the disposal of these lorries.** I quite agree. But it does not mean that we have taken advantage of our position and that we have shown any concession to any one. On the other hand we have been extra careful simply for the reason that the Congress Organization was involved in this matter. That is why the Minister concerned had insisted that something more than the market value fixed should be paid and Rs. 2,500 more than the market value has been paid. This was done because later no accusation against the Congress Organization, to which the members of this Government belong, should be made that unfair advantage had been taken and these have been sold to them. As a matter of fact this sum of Rs. 2,500 is a loss to the Congress Organization. Actually they wanted secondhand vehicles immediately as they were not prepared to pay full value of new vehicles and purchase them. That seems to be the necessity and urgency for the transaction.

“ Of course, hon. Members are entitled to point out the irregularity in not publishing the sale, in not calling for tenders and in not putting them for public auction. But I respectfully submit that no allegations should be made that the Government have preferred an individual or an agency and because it is the Congress Organization, that the Government have shown a particular concession to the Organization, etc. I submit and assure hon. Members

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that we are very careful with regard to public money and also with regard to properties belonging to the Government. I may again assure hon. Members that as far as this transaction is concerned no loss has been incurred but on the other hand we have gained a little more. Thank you, Sir."

MR. SPEAKER :—" The House will now adjourn and meet again at 11 o'clock tomorrow."

The House then adjourned.



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APPENDIX I.

[Vide answer to starred question No. 257 asked by Sri K. P. Gopalan at the meeting of the Legislative Assembly held on 13th December 1954, page 15 supra.]

Statement showing the number of cases of murder and suicide recorded in the police stations in Wynad taluk in Malabar district during the years 1952-53 and 1953-54.

Station.	Number of murder cases recorded.		Number of suicides recorded.	
	1952-53.	1953-54.	1952-53.	1953-54.
Vayittiri ..	Nil.	1	2	5
Meppady ..	Nil.	Nil.	6	3
Sultan's Battery.	1	3	1	4
Manantoddy ..	1	Nil.	3	8

APPENDIX II.

[Vide answer to clause (a) of starred question No. 262 asked by Sri M. Kattimuthu at the meeting of the Legislative Assembly held on 13th December 1954, page 22 supra.]

(a) Amount expended for adult education in the State—
District-war in 1953-54—

	RS
1 Tanjore, East ..	7,062
2 Tanjore, West ..	15,583
3 Ramanathapuram ..	11,899
4 Tirunelveli, West ..	17,109
5 Tirunelveli, East ..	17,438
6 The Nilgiris ..	12,322
7 Malabar, South ..	27,719
8 Malabar, Central ..	15,999
9 Malabar, North ..	17,267
10 Pudukkottai ..	3,158
11 South Kanara ..	14,838
12 North Arcot ..	23,990
13 South Arcot ..	53,993
14 Coimbatore ..	15,068
15 Madras ..	2,324
16 Chingleput ..	19,453
17 Madurai ..	38,565
18 Salem ..	15,422
19 Tiruchirappalli ..	18,416

NOTE.—The figures are for the Residuary State only.

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APPENDIX III.

[Vide answer to clauses (a) and (b) of starred question No. 264 asked by Sri M. Narayana Kurup at the meeting of the Legislative Assembly held on 13th December 1954, page 24 supra.]

Clauses (a) & (b) The number of applications received under the Malabar Tenancy Act for determination of fair rent and the number of applications disposed of up to 30th September 1954 are as follows:—

Malabar District.

Name of taluk.	Total number of applications received.	Number disposed of.
(1)	(2)	(3)
1 Kottayam	1,111	13
2 Chirakkal	7,827	..
3 Ponnani	1,518	..
4 Ernad	257	3
5 Kurumbranad	3,806	..
6 Kozhikode	674	..
7 Walluvanad	541	..
8 Palghat	320	12
9 Wynaad	117	6
10 Fort Cochin	Nil	Nil
Total	16,171	34*

* Returned for rectification of defects.

Nilgiri District (Gudalur taluk)—Nil.

South Kanara District.

(33 villages where the Malabar Tenancy Act is in force.)

- 1 Number of applications received .. 1,128
- 2 Number of applications disposed of. 669 (Out of these, 602 applications were returned to the parties for re-presentation).

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APPENDIX IV.

[Vide answer to starred question No. 267 asked by Sri A. Ratnam at the meeting of the Legislative Assembly held on 13th December 1954, page 26 supra.]

I

G.O. No. 536, Education, dated 5th March 1951.

[Educational Rules—Use of educational buildings for public purposes—Rule 81—Revised.]

The Government direct that the buildings and the grounds of an educational institution shall be used mainly for school functions and for educational and other public purposes, which shall be restricted to functions arranged by a local body or a department of the State Government or the Union Government.

Rule 81 of the Madras Educational Rules will be amended as in the Annexure to these proceedings.

ANNEXURE.

For rule 81 of the Madras Educational Rules, *substitute* the following :—

USE OF BUILDINGS.

81. The premises of an educational institution, or any subsidiary building appertaining to it or a playground or vacant site belonging to the institution, whether adjacent to or removed from it, shall ordinarily be used only for the purposes of functions conducted by such institution. But the chief executive authority of the local body concerned in the case of an institution under the control of a local body, the District Educational Officer in the case of a Government institution other than a Government college, and the Principal in the case of a Government college, is empowered to grant permission, on such conditions as he deems fit to impose, for the use of such building, or ground, or site belonging to the institution for holding public functions arranged by a local body, or a department of the State or the Union Government.

II

G.O. Ms. No. 2385, Education, dated 14th October 1953.

[Religious Instruction—Use of schools—School grounds and buildings for the purpose—Orders passed.]

The Government have had under consideration, for some time past, the question whether grounds and buildings of schools, wholly maintained by the State or by local bodies can be given for use by others for providing religious instruction to such pupils as are desirous of receiving such instruction. After careful consideration, they have decided that the school grounds or buildings

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maintained by the State or local bodies may be given for use by others for purposes of religious or devotional gatherings on the following conditions:—

(1) The use of school buildings and premises for purposes of voluntary religious or devotional gatherings should be permitted only outside school hours;

(2) no discrimination should be made between one religion and another so far as giving the use of the building or premises is concerned;

(3) no permanent structure or image or other symbol of religious import should be installed or left behind in the building or premises;

(4) the use of the premises should not in any way interfere with the regular purpose or activities of the school whether inside or outside school hours; and

(5) permission in all cases and imposing of necessary conditions or modifications should be in the discretion of the headmaster, subject to the control and discretion of the Educational authorities.

Such permission should not be claimed as a matter of right.

2. The Director of Public Instruction is requested to send a draft of suitable amendments to the Madras Educational Rules in the light of the decision in paragraph 1 above.

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